



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, May 13, 2014

6:00 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

1. CALL TO ORDER

Mayor Schmidt called the meeting to order at 6:05 p.m.

2. 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

3. Calendar and Communications

Town Manager Oefinger requested referrals on Airport Development Zones, the Mystic Educational Center planning effort, and an offer to donate land on Packer Road to the Town.

There is one grant for the Finance Committee meeting on May 20th. The Town Manager would like to place the grant on May 20th Town Council agenda if approved by the Finance Committee, or the Committee of the Whole could suspend the rules to consider the item tonight.

4. Approval of Minutes

2014-0145 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 March 24, 2014, March 24, 2014, April 8, 2014, April 22, 2014, and May 7, 2014 are hereby accepted and approved.

A motion was made by Councilor Watson, seconded by Councilor Cerf, to adopt.

The motion carried unanimously

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS

2014-0135 Crystal Lake Road Reconstruction - Update

Discussed and Recommended no action taken

Town Manager Oefinger noted that Greg Hanover and Gary Schneider from Public Works and Bob Yust from the Sub Base were present, along with the consultant for the Crystal Lake Road Reconstruction project. The Town Council and RTM recently approved the funds required for the Town's 10% match for construction.

John Eberly from Stantec displayed a preliminary design showing basic infrastructure. Preliminary design represents 30-35% of design. Mr. Eberly will be meeting with DOT and addressing any comments on the design and a public outreach session will be held in June.

Mr. Eberly reviewed existing conditions. This project involves widening Crystal Lake Road to the

south so that there are four lanes with two full shoulders. A multi-use pathway will be constructed from the wooden bridge at the Nautilus overlook, along the south side of Crystal Lake Road, up Route 12 to the existing bike trail, and then extended to Pleasant Valley Road South. On-street parking associated with multi-unit structures on Crystal Lake Road along with one of the structures will be removed and an off street parking area constructed. Military Highway will be realigned and the intersection with Crystal Lake Road will be redesigned with input from the Navy to address security. Gateway improvements include landscaping, signage, and pavers on Route 1 and at the Nautilus museum. Because the project uses federal dollars, environmental investigations are being conducted. The remediation at the Fusconi site will be done this summer. Right-of-way sliver takes and easements for grading and traffic devices will be required for construction, which will occur in four stages. The project is expected to go to bid in winter 2015, with construction starting spring 2016 and finishing up in summer/fall 2017.

Mr. Yust noted the Navy has been involved in the entire process. He agrees that the project is desperately needed and the Navy fully supports the effort.

Councilor Frink asked if any improvements can be made to the road before this project is completed. Town Manager Oefinger stated it is up to the Town whether or not to repave the road only to have it torn up again in a couple of years. Mr. Eberly explained that right-of-way acquisition, which is being managed by the state, takes approximately a year which is part of the lengthy schedule. Councilor Frink questioned Navy sign off on the project. Mr. Eberly stated signoff by the Navy will occur throughout the project. The Town Manager emphasized that this has been a joint effort between the Town and the Navy from the beginning, and the town is committed to doing what works best for the Navy. Nothing is being done that will compromise security at the base.

Mayor Schmidt thanked Mr. Eberly for his presentation.

2014-0158

Noank School - Public Garden Proposal Presentation

Recommended for a Resolution

Robert Palm, Tim McDowell, and Clint Wright were present to address the Council. Mr. Palm distributed packets of information to the Council. He provided background on the Noank School Public gardens group and their desire for a long-term lease of the Noank School property. Since the last meeting with the Council, the group has held two public information sessions and obtained support from various people and groups in the community. The gardens will be open to all Groton residents.

Mr. Palm understands that demolition of the school will start in September. The first phase in the NSPG plan is planting a vegetable garden now and preparing the orchard, so the group would want to rototill the field immediately. Surplus produce will be donated.

NSPG wants to partner with the Town and be part of the demolition discussion so they can reuse the bricks. They will coordinate with the Town on the layout of the garden to reduce the Town's burden of management. Newer paved areas and the playground set will be removed. The Smith Lane parking lot is sufficient for the planned use of the site. Mr. Palm reviewed aspects of the plan including the Dahlia Project, Cherry Walk; Veterans Woods; and educational component. A petition has been distributed targeted at local businesses.

Mr. Palm reviewed a timeline for the project. The group is asking for a 10-year lease with two five year options for renewal. They are asking for the Town to pay for water for the first year and continue to provide liability insurance. The group would also like the Town's assistance with Noank zoning approval, contracts, and coordinating with different departments.

Mr. McDowell cited the benefits of community gardens and asked for the Council's support. He

read a letter in support of the project from Josh Stoffel, Manager of Sustainability at Connecticut College. Mr. Stoffel has offered college students to work with high school students on the garden.

Mr. Wright also expressed support for the project stating that the idea of agriculture is what created civilization in the beginning."

A motion was made by Councilor Moravsik, seconded by Councilor Cerf, that the Town of Groton enter into an agreement with the Noank School Public Gardens for a lease agreement with the terms and conditions as outlined here and what the Town Attorney would do to prevent liability of the Town.

Mr. Palm reiterated that the terms outlined by the group are a 10 year lease with two five year extensions. Councilor Moravsik noted that the Town Attorney may want to impose conditions that will affect the term of the lease. Councilor Watson supports the project, but feels that it will take some time to negotiate and execute a lease. In response to Councilor Flax, Mr. Palm stated that he has had no discussions with Noank Zoning. Mr. Palm stated he will create a plan for the garden. Councilor Flax asked if reusing the bricks will impede demolition of the school and Mr. Palm stated it may be quicker and cheaper to just demolish the builder, but the group feels the bricks are worth recycling. Councilor Cerf expressed support for the proposal.

Town Manager Oefinger noted that because this is a Town asset, there are procedures that must be followed before a lease can be entered into including a referral to the Planning Commission under CGS Section 8-24. A public hearing may also be necessary. The Council can direct the Town Attorney to begin preparation of a lease, but there are issues that need to be discussed and worked out including whether or not the Town Council wants to reserve any portion of the land for playing fields, for example. Mr. Palm stated the group is willing to wait until fall after demolition of the building to do any planting.

Councilor de la Cruz suggested that the community gardens could happen on many properties in Groton, but the Noank School property has utilities and could be developed. The Council must consider the future and economic benefits. In response to questions from Councilor de la Cruz, Mr. Palm stated that the group will not be selling vegetables and any surplus produce will be donated. The group also has no plans to use the services of Public Works.

A motion was made by Councilor Frink, seconded by Councilor de la Cruz to amend the motion to limit the lease to two years.

Councilor Cerf stated that two years would be difficult for the group to show progress to the Council and she stated she would support a five-year lease.

A motion was made by Councilor Cerf to amend the motion to limit the lease to five years. There was no second.

Discussion followed on the length of the lease. Mr. McDowell explained that granting entities like to see a commitment, and two years is a short period.

The motion to amend failed by the following vote:

In favor: Councilor de la Cruz and Councilor Frink

Opposed: Councilor Cerf, Councilor Flax, Mayor Schmidt, Councilor Watson, and Councilor Moravsik

The Town Manager reminded the Council that another individual was in attendance to present a proposal for the Noank School property.

A motion was made by Councilor Frink, seconded by Councilor de la Cruz, to table.

The motion carried by the following vote:

Votes: In Favor: 4 - Mayor Schmidt, Councilor de la Cruz, Councilor Frink and Councilor Watson
Opposed: 3 - Councilor Cerf, Councilor Flax and Councilor Moravsik

2014-0154 Noank School - D'Agostino Proposal

Discussed and Recommended no action taken

Robert D'Agostino, an employee at Grasso Tech, stated his intent to purchase the Noank School building and a portion of the parcel. Mr. D'Agostino would demolish a portion of the building and use the remaining portion for a single-family residence. He asked the Council for time to do more due diligence. Mr. D'Agostino feels the benefits of his proposal are saving the Town demolition costs; creating tax revenue; using a portion of the property for the community gardens; maintaining the original character and historic integrity of the school; and not infringing on the neighborhood.

Mr. D'Agostino responded to questions from Councilors. He intends to leave approximately 4,000 square feet of building, but not all of it will be living space. There will also be a greenhouse. The proposed conservation area consists of .90 acres; the single-family lot is 3.14 acres; and the community garden parcel would be 2.25 acres. The current assessed value of the property is \$1,955,800. Mr. D'Agostino is interested in purchasing a portion of the parcel, which does not have an established value.

Councilor Cerf does not feel that the community garden proposal can happen on the 2.25 acres.

Mr. D'Agostino reiterated that he is asking the Council for the opportunity to do more due diligence so that he can make an offer on the property. Councilor Flax feels that the proposal is coming too late. Councilor Moravsik agreed noting that he is ready to act on the community gardens proposal. Mayor Schmidt feels the garden needs the Council's complete consideration at this time and she thanked Mr. D'Agostino for his presentation.

2014-0158 Noank School - Public Garden Proposal Presentation

Discussed

After consideration of #2014-0154 Noank School - D'Agostino Proposal, the Council returned to discussion of this referral. Councilor Cerf asked for clarification regarding the length of the lease and suggested that the lease specify a length of time. The Town Manager stated that he can develop a couple of proposals and the Council can choose a length for the lease. He also suggested that the Council consider performance measures and options in case nothing happens at the site.

The motion as previously modified/restated by Councilor Moravsik was that the Town of Groton enter into a lease agreement with the Noank School Public Gardens to utilize the Noank School property with the terms and conditions to be determined by the Town and NSPG's attorneys.

The Town Manager stated again that the motion should not indicate that the Town is entering into an agreement, but that the Council is authorizing the Town Manager to prepare a draft lease for Town Council review and approval. The proposal also needs to be referred to the Planning Commission under CGS Section 8-24.

A motion was made by Councilor Frink, seconded by Councilor Moravsik, to amend the motion as stated by the Town Manager.

It was noted that options to renew will be part of the lease terms. The motion to amend carried unanimously.

The main motion as amended carried unanimously.

Councilors Moravsik and Watson stated they would like to allow the group to go onto the property to get started. The Town Manager asked for time to meet with the group or suggested that the group come back with a proposal.

2014-0146 John Kelley Memorial Statue - Update

Discussed

Town Manager Oefinger provided background on the proposal noting the Town Council's original resolution and subsequent signoff on the statue location. An application to the Historic District Commission added a boulder/plaque element and represented the statue as larger than life-size. The statue has already been cast.

James Roy and Spiros Barres addressed the Council. The group has raised over \$85,000 for the statue. They are proposing a 24 x 14 bronze plaque affixed to a boulder and placed next to the stairs leading to the parklet. While working with a local granite company, it was suggested that the boulder have a second plaque on its reverse side acknowledging donors. Mr. Roy stated that any issues that arise will be resolved by the group and the Town Council should not be concerned that this will be an eyesore.

The Town Manager noted that the previously-approved resolutions do not represent what is being proposed and the record needs to be clear regarding the height of the statue and inclusion of the boulder/plaque and its location.

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

Mayor Schmidt does not feel that a second plaque to honor donors is necessary and Mr. Roy disagreed. It was noted that the second plaque, which is a new element, may need Historic District Commission approval.

The motion carried unanimously

2014-0141 Tour of Fitch Middle School and William Seely School

Discussed

Councilors were given an opportunity to share their impressions following the tour of Fitch Middle School and William Seely School on May 7th, but there were no comments.

Town Manager Oefinger noted that Project LEARN has expressed interest in using a portion of Fitch Middle School for one or two years. Before deciding on LEARN's request, the Council needs to decide what to do with William Seely School, which is being used for Parks and Recreation programming and storage. If the Town is going to make William Seely available for commercial development, the Fitch Middle School wing that LEARN is interested in would be perfect for Parks and Recreation. The individual who is interested in the William Seely property has been asked for additional information, but he has not provided it. Councilor Cerf asked about Parks and Recreation using another part of Fitch Middle. The Town Manager explained that the wing being discussed is perfect because it can be segregated from the rest of the building and there are rest rooms.

Eileen Howley and Jean-Paul LeBlanc of LEARN were present. Ms. Howley noted the history of LEARN's association with the Town. They are currently leasing a facility that is not conducive to programming for a magnet middle school and they are looking for approximately 10 classrooms. Fitch Middle would be an interim location because the LEARN hopes to return the program to New London. Councilor Moravsik thinks that the Town would be starting work on Fitch Middle around 2017 if things go as planned.

The Town Manager suggested that, if the Council is receptive, the Town Attorney be directed to

prepare a lease and that a CGS Section 8-24 referral be made to the Planning Commission.

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

Councilor de la Cruz feels that Fitch Middle is the best place for Parks and Recreation, and he suggested that LEARN use William Seely. Town Manager Oefinger suggested it would be premature to make permanent decisions about Fitch Middle without a plan. Councilor Flax stated that he does not want LEARN's use of Fitch Middle School to stop progress on William Seely. He feels the Council must be willing to relocate Parks and Recreation programming if necessary to make William Seely available for development.

The motion carried unanimously

2014-0139 Statement of Support for the Guard and Reserve (ESGR)

Discussed

Town Manager Oefinger explained that there are a fair number of Town employees who have been called to active duty. This request asks the Town to reaffirm its commitment to that relationship.

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

The motion carried unanimously

2014-0157 Neighborhood Assistance Act Program

Discussed

Town Manager Oefinger explained the Neighborhood Assistance Act Program, a state tax credit program where businesses that pay state tax make a contribution to a non-profit or municipality equivalent to the taxes (100% for energy efficiency projects or 60% for other eligible projects). The Groton Animal Foundation, and two additional non-profit organizations, have expressed an interest in participating in the program. Applications are due on July 1st. Thames Valley Communications has also expressed interest in participating in the program. While the Town has no fiduciary or monetary responsibility, the Town must conduct a public hearing and support the project(s). No applications have been received yet. The Town Manager asked the Council to tentatively schedule a public hearing for June 17th.

A motion was made by Councilor Watson, seconded by Councilor de la Cruz, to schedule a public hearing for June 17, 2014.

The motion carried unanimously

2013-0299 Establishment of a Charter Revision Commission

Discussed

Town Manager Oefinger distributed background information on establishing a Charter Revision Commission (state statutes and information that was generated for the Town's last effort). The Council must consider who will be on the commission, specific areas to review, etc.

Councilor Frink suggested this effort should be undertaken in the second year of the Council's term and Councilor Cerf disagreed. The consensus was to postpone this effort and notify the Town Manager when the Council would like to discuss it again.

2014-0156 Town-Wide Police Study

Discussed

The Council was offered the opportunity to discuss the Town-Wide Police Study as a follow up to the previous night's joint meeting with the City. Discussion followed on dispatching, record keeping, and the City having to be agreement to move forward. Councilor Flax expressed a desire to hear from the citizens, perhaps through a survey. With respect to the record management system (RMS), the Town Manager believes that the City considers it a pre-requisite to dispatch consolidation, but the Town's RMS works fine and balances the needs of the ambulance and fire

companies. Discussion followed and the Town Manager suggested that he could bring in people to brief the Council on how the system works. Councilor Flax feels the City Council should be invited too. The Town Council is looking at these issues because every year the Town is asked to pay for a portion of the City's police budget and the Town wants to make sure that the money is being spent well. Councilor Cerf feels it is a matter of parity and of trust, and cutting the City's budget is not the way to collaborate. Councilor Frink reminded Councilors that consolidation is not up to the Town.

2014-0111 Meeting with Police Department Leadership and Officers

Discussed

The Town Manager asked how the Council wants to go about meeting with Police Department leadership and officers. Councilor Moravsik wants to meet informally with the Chief for a facility tour. Councilor Flax stated that the referral was made by Councilor Somers to have an open discussion about the way things are going in the Police Department.

The Town Manager stated he would set up one on one tours if Councilors would let him know of their availability.

With respect to discussions, the consensus was to wait until Councilor Somers returns since she made the referral.

Councilor Cerf stated she would like to discuss the climate for female police officers. The Town Manager stated that the Council should be briefed by the Town Attorney on the situation, rather than making observations based on newspaper articles.

Town Manager Oefinger stated he has met with 12 to 15 officers over the last couple of months. There are issues that need to be addressed, but there were comments that were also good and hopeful for the future. Some expressed frustration with positions that were not being filled in a timely manner that are now being acted on. The meetings were mostly initiated by the officers. The Town manager expressed his pride in the officers and their willingness to meet with him. Generally, officers feel that an open solicitation for the Police Chief position is a good thing, but they also expressed concern that it will curtail advancement within the department. At this point, officers are adopting a 'wait and see' attitude with respect to changes that have occurred in the department.

With respect to the Police Chief position, the Town has not conducted a full-blown solicitation for the position. The Town Manager has spent a significant amount of time with Human Resources staff researching the process. Many times, outside help is used, and the Town has talked to a number of firms.

The Town Manager asked about the Town Council's interest in bringing in a consulting firm to assist in the search for a Police Chief. It would require the Town to identify what it is looking for in an individual and it would involve a fair amount of public engagement (time and effort). An estimate from Police Executive Research Forum (PERF) is approximately \$44,000. The Town has also requested a proposal from the International City/County Management Association (ICMA). A consultant would help with creating a community profile, solicitation, recruitment, screening of applicants, contacting references, etc. with the intent being to end up with a pool of applicants. Discussion followed.

The Town Manager stated that damage has been done to the Police Department. The Town is trying to fill a position for a very important function and part of that process must include healing the damage. The Town should be trying to set up the next person to succeed.

The Town Manager is waiting for a detailed breakdown of PERF's estimate and if the Council

wants to proceed with hiring a consultant, funds will have to be appropriated.

Councilor Flax left the meeting at 9:34 p.m.

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

Members Absent: Councilor Flax, Councilor Peruzzotti and Councilor Somers

2009-0124 Ethics Ordinance

Discussed

Former Town Councilor Dean Antipas will be at the Committee of the Whole meeting on May 27th to review the draft Ethics Ordinance.

2013-0248 Presentation by Town's Actuary

Discussed

The first session with the Town's Actuary is scheduled for May 27th. The meeting will be conducted in executive session because it is leading up to pension negotiations with all of the unions.

2013-0156 Town Manager Annual Evaluation (2013)

Discussed

Councilor Watson stated the Council should have a discussion about what process to use to evaluate the Town Manager. He asked that the evaluation form previously used be distributed to the Council. A discussion of the process was scheduled for the May 27th Committee of the Whole meeting.

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

Recommended for Deletion:

2013-0066 Regulations for Parks and Recreation Facilities

Recommended for Deletion

2013-0125 City of Groton FYE 2014 Highway Budget - Request for Mediation

Recommended for Deletion

2014-0113 Request for Number of Town Employees in Each Department by Calendar Quarter

Recommended for Deletion

8. OTHER BUSINESS

None.

9. ADJOURNMENT

A motion was made by Councilor Frink, seconded by Councilor Moravsik, to adjourn the meeting at 9:47 p.m.

The motion carried unanimously.