



Town of Groton, Connecticut

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Meeting Minutes

Town Council Committee of the Whole

Mayor Bruce Flax, Councilors Dean G. Antipas, Diane Barber, Greg Grim, Rich Moravsik, Karen F. Morton, Bonnie Nault, Deb Peruzzotti, and Harry A. Watson

Tuesday, July 11, 2017

6:00 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

1. **CALL TO ORDER**

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

2. **ROLL CALL**

Members Present: Mayor Flax, Councilor Barber, Councilor Grim, Councilor Antipas, Councilor Morton, Councilor Nault, Councilor Watson and Councilor Moravsik
Members Absent: Councilor Peruzzotti

Also present were Town Manager Mark Oefinger, Town Manager John Burt, and Assistant to the Town Manager Nicki Bresnyan.

3. **Calendar and Communications**

Mayor Flax noted receipt of a communication from a dispatcher regarding a position that is not being filled due to budget cuts. Town Manager Oefinger noted that there have been discussions about going in a different direction with the position and perhaps using part-time personnel. The Town has not fully funded repair/replacement needs in Dispatch so the division does not have the resources to bring on a full-time person. Also, the division does not want to hire a full-time person for part of the year not knowing what will happen with the next budget.

Councilors noted their participation in the July 4th parade. Town Manager Oefinger explained that the return to the old route was unintended and based on an email that mistakenly identified Poquonnock Plains Park as the starting point. He noted this will have to be a discussion point for the next budget. Mayor Flax noted that the banner carried by the Town Council was painted by Fitch High School students.

4. **Approval of Minutes**

2017-0174 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 May 4, 2017, May 8, 2017, May 11, 2017, May 16, 2017, June 6, 2017, June 13, 2017 and June 20, 2017 are hereby accepted and approved.

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

The motion carried unanimously

5. **UNFINISHED BUSINESS**

None.

6. **NEW BUSINESS**

2017-0175 Police Support Specialist Job Description

Discussed

Police Chief L. J. Fusaro and Director of Human Resources/Risk Management Bob Zagami were present. Mr. Zagami noted that a position in records has not been filled. Responsibilities have

been added to the job out of necessity requiring a new job description. Mr. Zagami briefly described the anticipated duties of the position. Chief Fusaro noted this is not a new position, but a repurposing of a position that has not been filled for a year and a half. Formerly the position was a union Office Assistant II, and the proposal is for a non-union position. Councilor Antipas asked about the salary differential, but neither Mr. Zagami nor Chief Fusaro had the information. Chief Fusaro stated that the salary differential will be paid for with savings from vacant positions. Town Manager Oefinger expressed support for the position and noted that with budget cuts, the Town will have to do more changes like this.

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

The motion carried unanimously

2017-0176 Inspector I - Construction Job Description

Discussed

Director of Planning and Development Jon Reiner and Director of Human Resources/Risk Management Bob Zagami were present. Mr. Zagami noted that the office was originally looking for an Inspector II, but could not find any qualified applicants. This proposal would downgrade the position to an entry level position at \$2,000 less per year.

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

The motion carried unanimously

2017-0177 Supervisor, Human Resources Administration Job Description

Discussed

Director of Human Resources/Risk Management Bob Zagami noted that he requested an Occupational Health and Safety Coordinator in the FYE 2018 budget, but funding was cut to the point where no one could be hired. The Town still needs someone to do risk management so Mr. Zagami is restructuring the department to assign the duties to the Human Resources Coordinator. The revised job description includes a \$5,000 increase. With the remaining funds, Human Resources can build in incentives to create a safety culture in the organization.

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

The motion carried unanimously

2017-0172 Adoption of Ordinance to Designate the Planning Commission the Planning and Zoning Commission and to Abolish the Zoning Commission

Discussed

Director of Planning and Development Jon Reiner and Assistant Director Deb Jones were present. Mr. Reiner noted the memo he submitted at the public hearing and explained that there will be delays in rewriting the Zoning Regulations if the Planning and Zoning Commissions are combined. Councilor Nault noted receipt of a call from Susan Dowling. Councilor Nault raised the issue of the size of the combined commission and Ms. Jones stated that five (with three alternates) would be desirable. The ordinance is written for seven, but that number can be reduced prior to adoption. Councilor Nault expressed support for eliminating both commissions. Councilor Antipas noted the Town Attorney's opinion based on statutory requirements that the Council chose one of the existing bodies for the combined commission. Councilor Barber noted the market analysis recommends combination of the commissions, and she supports it being done now. Mr. Reiner noted he has not polled the Planning Commission to see who would stay.

Discussion followed on the status of the project to rewrite the Zoning Regulations, the anticipated timeline for completion of the project, and the impact of combining the commissions.

A motion was made by Councilor Nault, seconded by Councilor Barber, to adopt the ordinance

with the modification of five regular members and 3 alternates, effective in the middle of October.

Mayor Flax noted the comments received at the public hearing. Discussion followed on an appropriate timeline and whether or not members of the Planning Commission would continue to serve. The general consensus of the Council is to combine the commissions. Mayor Flax stated he will reach out to Planning Commission members to see who is interested in staying on a combined commission. Mayor Flax asked Mr. Reiner to provide a suggested timeline for the transition and to identify activities that the Zoning Commission is working on.

By consensus, Councilors postponed action on the motion.

2017-0170 Request for Tax Abatement

Discussed

The Town Council recently appointed the Committee of the Whole as the Tax Abatement Board. A staff referral memo and application were distributed to the Council. Potential special meeting dates to consider the request were identified as July 18th at 6:30 p.m. or August 8th at 5:15 p.m., depending on the availability of the applicant.

2017-0173 Participation in Joint Action Lawsuit Against Pharmaceutical Companies

Discussed

Mayor Flax explained the request for the Town to join in a class action lawsuit against pharmaceutical companies over the opioid epidemic. There would be no cost to the Town as the attorney is willing to work pro bono. Councilor Moravsik suggested that it first be determined if Pfizer is involved. Councilor Watson agreed that he needs more information. Town Manager Oefinger stated more information can be obtained from CCM if the Council is interested. Discussion followed on how best to approach the issue.

2014-0130 Non-Union Terms and Conditions

Discussed

Town Attorney Eileen Duggan and Director of Human Resources/Risk Management Bob Zagami were present to discuss the non-union pay plan, salary increases, and health insurance. FYE 2011 was the last year of the pay plan approved in 2007. In the current plan, people are assigned to ranges at salary levels. If a person is at the top of the range, he or she receives a stipend, but it does not change the base pay. The Town Attorney's office did a complete review of non-union positions and the pay plan. Ms. Duggan reviewed the methodology used to determine average wage including comparisons with other communities, aligning positions with comparable positions, and ranking the Town. Ms. Duggan then reviewed the methodology for determining the proposed salary ranges, which consist of Minimum Entry Rate, Maximum Entry Rate, and Maximum Salary Rate. Four positions have been identified for proposed rate changes to bring them up to the Minimum Entry Rate.

Councilor Morton noted her mistaken belief that raises were granted for non-union personnel every year unless there was a wage freeze. She noted that if union employees are receiving increases and non-union employees are not, the parity is lost. In addition, stipends for people at the top of their range do not count toward pension benefits.

Ms. Duggan stated that the proposed pay plan is not designed to be updated every year, but to provide flexibility and room to move. General wage increases is a separate discussion, but a 1% increase for non-union personnel equates to \$35,000.

Mr. Zagami distributed information on the proposed High Deductible Health Plan (HDHP) and Ms. Duggan reviewed the cost differential between the PPO and HDHP.

Councilor Nault questioned the impact of the changes on the pension plan. Ms. Duggan stated

that these pieces of the terms and conditions do not impact pensions. She noted her firm is doing a similar survey for pensions, but it has not been completed.

After contract negotiations, the Town will be entering into pension negotiations. The Town Attorney will invite the actuary to a meeting with the Council to make a decision about a plan going forward.

In response to Councilor Antipas, Attorney Duggan noted that the proposed pay plan does make the Town competitive. The pay plan can last as long as the Council wants, but it should be good for about three to five years.

Town Manager Oefinger explained how the pay plan would work with new hires. He noted that one of the reasons to do a new pay plan is to make adjustments. He is recommending adoption of the pay plan and increases for the four positions.

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

A motion was made by Councilor Nault, seconded by Councilor Morton, to amend the motion to add an effective date of July 1, 2017.

Mayor Flax noted that there are other pieces to the puzzle such as vacation and sick time and payouts. Ms. Duggan noted that there were no outstanding benefits noted in the communities that were surveyed. She reviewed the sick and vacation and payout policy and noted that the non-union benefits are similar to other communities.

The motion to amend carried unanimously.

The motion carried unanimously

Discussed

Discussion followed on the four positions that fall below the Minimum Entry Rate and granting the increases based on performance within the positions. Ms. Duggan noted that the salary ranges are based on the positions, not the people.

Town Manager Oefinger explained that the scale for merit increases in the Non-Union Terms and Conditions has not been followed for a number of years due to budget constraints. If wage increases had been granted two of the four positions would no longer be below the Minimum Entry Rate. He recommended that any general wage increase be applied to the current salaries for the four positions before they are adjusted. Councilor Grim questioned the availability of comparable data for the four positions which Ms. Duggan addressed. She noted that this is an equity issue and a wage adjustment, not a raise or merit increase based on performance. Managers need to address any performance issues.

A motion was made by Councilor Watson, seconded by Councilor Morton, to make a wage adjustment for the four positions that are below the Minimum Entry Rate in the new pay plan.

Town Manager Oefinger noted that it is the beginning of the fiscal year and departments will have to find the money for the adjustments in their budgets.

5-3 (Moravsik, Barber, Antipas)

Attorney Duggan asked the Council to consider general wage increases for 2016-2017 and 2017-2018, as well as approval of the High Deductible Health Plan.

Councilor Nault suggested that increases should wait until the revenues from the state are known. Ms. Duggan reminded the Council of their policy that the terms and conditions of employment for

non-union employees shall be comparable to or exceed those of unionized professional and supervisory employees. Increases have been approved for the unions.

A motion was made by Councilor Moravsik to table discussion of these items. There was no second.

Mayor Flax questioned if it is fair to make non-union employees beholden to what happens at the state while the unions get increases.

A motion was made by Mayor Flax, seconded by Councilor Watson, to grant a 2.5% general wage increase to non-union personnel effective July 1, 2017 and to implement the High Deductible Health Plan.

A motion was made by Councilor Morton to amend the motion to grant a 4% increase and to implement the High Deductible Health Plan. There was no second.

Discussion followed on whether the increase would apply to the current rate for the new pay plan rate for the four positions below Minimum Entry Rate.

A motion was made by Councilor Nault, seconded by Councilor Moravsik, to table discussion.

The motion failed by the following vote:

*In favor - 4 - Councilor Antipas, Councilor Barber, Councilor Moravsik, Councilor Nault
Opposed - 4 - Mayor Flax, Councilor Grim, Councilor Morton, Councilor Watson*

A motion was made by Councilor Barber, seconded by Councilor Nault, to amend the motion to grant a 2% increase with the increased based on the existing salaries of the four positions below Minimum Entry Rate.

It was clarified that any positions that still fall below the Proposed Minimum Rate after the 2% increase will be increased to the Proposed Minimum Rate in accordance with the previous motion to adopt the new pay plan.

The motion failed by the following vote:

*In favor - 3 - Councilor Barber, Councilor Moravsik, Councilor Nault
Opposed - 4 - Mayor Flax, Councilor Antipas, Councilor Grim, Councilor Morton, Councilor Watson*

A motion was made by Councilor Nault, seconded by Councilor Barber, to amend the motion to grant a 2% increase with the increase based on the existing salaries for Foreman Transfer Station and Employee Benefits Coordinator only.

Nault, Barber

The motion failed by the following vote:

*In favor - 3 - Councilor Barber, Councilor Moravsik, Councilor Nault
Opposed - 4 - Mayor Flax, Councilor Antipas, Councilor Grim, Councilor Morton, Councilor Watson*

The original motion to grant a 2.5% general wage increase to non-union personnel effective July 1, 2017 and to implement the High Deductible Health Plan carried by the following vote:

In favor - 6 - Mayor Flax, Councilor Antipas, Councilor Grim, Councilor Moravsik, Councilor Morton, Councilor Watson

Opposed - 2 - Councilor Barber, Councilor Nault

2017-0005 Pending Litigation (2017 Standing Referral)

A motion was made by Mayor Flax, seconded by Councilor Watson, that the members of the Town Council Committee of the Whole, together with Town Manager Mark Oefinger, John Burt, Finance Director Cindy Landry, Tax Assessor Mary Gardner and Town Attorney Matt Auger go into executive session at 8:47 p.m. pursuant to General Statutes 1-200(6)(B) for the purpose of discussing pending tax appeal litigation brought on behalf of Groton Long Point Association and on behalf of Pfizer.

The motion carried unanimously

Discussed

The executive session ended at 9:17 p.m.

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

2016-0198 FYE 2017 Fire District PILOT

Recommended for Deletion

2016-0309 Amtrak Northeast Corridor Rail Investment Plan Tier 1 Environmental Impact Statement

Recommended for Deletion

2017-0054 City Highway Budget - FYE 2018

Recommended for Deletion

8. OTHER BUSINESS

Mayor Flax noted that the Council needs to appoint someone to the Thames River Innovation Board and he is recommending Paige Bronk to represent Groton. Councilors agreed by consensus.

Town Manager Mark Oefinger thanked volunteers in local government, and the Council for its support during his 16 year tenure as Town Manager. He also enjoyed his 20 years in the Planning Department. While Groton has been through a lot, it is resilient. The biggest challenge going forward is to not do damage to ourselves as a community. Mr. Oefinger stated that he has tried to provide the Council with his best input and advice. The Town Manager works for the Town Council. As Town Manager, he has tried to share his knowledge, but ultimately it is the Council's decision to move the community in a certain direction. Mr. Oefinger encouraged the Council to not assume anything with the new Town Manager and to engage him in a way that helps him learn about the community. The Town Manager ended his comments by noting that he has had a great 35 year career with the Town of Groton. He thanked Nicki Bresnyan for his assistance during his career.

Mayor Flax stated that the community is a lot better off having had Mark Oefinger as Town Manager for the last 15 years. His professionalism, passion for the community, and the respect that he has given and received says a lot about Groton. Councilor Morton added that he has made the Councils' jobs easy.

9. ADJOURNMENT

A motion was made by Councilor Watson, seconded by Councilor Nault, to adjourn the meeting at 9:26 p.m.

The motion carried unanimously.