



Town of Groton, Connecticut

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Meeting Minutes

Town Council Committee of the Whole

Mayor Harry A. Watson, Councilors Dean Antipas, Kathryn M. Brown-Tracy, Bruce S. Flax, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, and Paulann H. Sheets

Tuesday, August 25, 2009

7:00 PM

Town Hall Annex - Community Room 1

REGULAR MEETING - REVISED

1. **CALL TO ORDER**

Mayor Watson called the meeting to order at 7:02 p.m.

2. **ROLL CALL**

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

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

3. **Calendar and Communications**

Town Manager Oefinger noted he would be asking for a suspension of the rules to add a grant application to the agenda.

Councilor Sheets noted the institution of the new prescription discount program for Groton residents. She reviewed the locations where residents can pick up a card, and indicated that more information is available on the Town's Web site.

Mayor Watson reminded the Council that there will be a ribbon cutting ceremony at the new Animal Shelter on Thursday at 3:00 p.m.

4. **Approval of Minutes**

2009-0210 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 meeting of August 11, 2009 are hereby accepted and approved.

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

The motion carried by the following vote:

Votes: In Favor: 7 - Mayor Watson, Councilor Antipas, Councilor Flax, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Schmidt and Councilor Sheets

Abstain: 2 - Councilor Brown-Tracy and Councilor Kolnaski

5. **UNFINISHED BUSINESS**

None.

6. **NEW BUSINESS**

2009-0183 FYE 2009 CAFR

Discussed

Vanessa Rossitto of Blum Shapiro noted this is the required communication prior to starting the final field work for the audit. The engagement letter submitted to the Town Council outlines the auditors' and Town's responsibilities. There are no new standards or other changes for the

Council to be aware of this year. Councilor O'Beirne asked about the deadline for completion of the audit. Ms. Rossitto responded that the statutory deadline is December 31st, but Blum Shapiro hopes to have a draft to Finance in the beginning of December. Councilor Sheets cited an increased sensitivity to internal controls in light of embezzlement issues in neighboring towns and asked for reassurance that controls are in place. Ms. Rossitto noted that assurances are in place as a result of more robust standards instituted over the last couple of years. Blum Shapiro will examine internal controls and look for weaknesses.

A motion was made by Councilor Kolnaski, seconded by Councilor Schmidt, to authorize the Town Manager to sign the engagement letter with Blum Shapiro for the FYE 2009 audit.

The motion carried unanimously

2009-0217

Contract Agreement between the Groton Board of Education and the Groton Education Association

Discussed

Mayor Watson received a call from the Chairman of the Board of Education and he was told that contract negotiations with the teachers have started. The Town Council is supposed to be involved in that process and communications with the Town Attorney have confirmed that fact., which means that a representative of the Town Council is needed.

Rita Volkmann and Dan Campbell of the Board of Education, Hugh Hunter, and Attorney Floyd Dugas were present to address the Council. Mr. Dugas explained that under the teacher negotiation act, there are two roles for the Town Council. Prior to commencement of negotiations, the Board of Education is supposed to confer with the Council about the fiscal climate. The Council also has the right to have an observer sit in on the negotiations. After an agreement with the teachers is in place, it must be approved by the Town Council.

Mr. Dugas noted that the Board has chosen to engage in interest based bargaining, which is a more collaborative process. There have been initial meetings to discuss process and non-economic issues such as absenteeism, professional development, etc. Mr. Dugas reviewed topics and the schedule for upcoming meetings.

Councilor Monteiro noted that the meeting schedule conflicts with Town Council meetings making it difficult for a Councilor to participate. Attorney Dugas noted that the meeting dates were chosen after to coordinate the schedules of all of the parties involved.

Mayor Watson suggested Councilor Antipas serve as the Council representative and Councilor Antipas agreed.

Ms. Volkmann noted that this type of bargaining is very interesting and leads to a wonderful discussion. A free four hour training session was provided by the Federal Mediation and Conciliation Service. Mr. Campbell reiterated that discussions are not expected to be heated as they were in the past.

Councilor Antipas left the meeting to attend the Board of Education meeting.

Roll Call: Members Present: Mayor Watson, Councilor Brown-Tracy, Councilor Flax, Councilor Kolnaski, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Schmidt and Councilor Sheets
Members Absent: Councilor Antipas

2008-0034

Remediation of Town Land

Discussed

Gary Schneider, Director of Public Works, provided an overview on the next level of testing. A map identifying areas of the site in question was distributed to the Council. Mr. Schneider reviewed the compounds found on the property. The results were compared with Connecticut's Remediation Standard Regulations which identify how clean a site must be if it is required to be

cleaned up. The King Property does not meet the criteria that would require clean up. The Town expects the final report in four to six weeks.

Councilor Sheets asked if the shoreline of the pond will be sampled beyond the edges of fill, and Mr. Schneider stated he would ask Fuss & O'Neill to address it and speak with Deb Jones about concerns she previously expressed about the area.

2009-0209

Reauthorization of Lily Lane Trail Grant**Discussed**

Town Manager Oefinger explained that the Town has been invited to reapply for a grant for Phase II of the Lily Lane Trail.

There will be a ribbon cutting ceremony for the Phase I portion of the project on Saturday, September 26th.

Councilor Monteiro questioned the scoring of the project, which appears low. The Town Manager does not feel that the state would have invited the Town to reapply if there were no chance for approval.

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

The motion carried unanimously

2009-0211

Property Maintenance Code Board of Appeals**Discussed**

Mike Murphy noted that the International Property Maintenance Code for the NRZ references a Board of Appeals. Although the provisions are in the Code, there is no reference to how the board would be created/appointed. Mr. Murphy explained the need for a Board of Appeals. Staff is recommending utilizing the existing Building Code Board of Appeals. The current code is working well and the NRZ Committee supports the establishment of a Board of Appeals. Councilor Monteiro asked for comments from the NRZ and the Town Manager reiterated that this proposal has been endorsed by the Town Manager. Mayor Watson asked if a public hearing is necessary and Mr. Murphy stated yes. A public hearing date will be chosen by staff. Councilor O'Beirne suggested that comments be received from the NRZ before a public hearing is scheduled. The Town Manager suggested that the Council table the item so that staff can obtain documented support from the NRZ. Discussion followed and the consensus of the Council was to proceed with preparation of the amendment to the ordinance.

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

The motion carried by the following vote:

Votes: In Favor: 7 - Mayor Watson, Councilor Brown-Tracy, Councilor Flax, Councilor Kolnaski, Councilor Monteiro, Councilor Schmidt and Councilor Sheets
Opposed: 1 - Councilor O'Beirne, Jr.

2008-0299

Department of Environmental Protection Grant for Mumford Cove Dredging**Discussed**

The Town Manager provided a brief history of this referral. A DEP permit was obtained by Mumford Cove Association. The Town Manager was originally concerned with the permit guidelines, which have since been modified. Gary Schneider, Director of Public Works, outlined concerns with the Certificate of Permission that were discussed with DEP in a conference call, which he characterized as a positive conversation. The Town Manager is requesting authorization to sign the agreement and enter into a Memorandum of Understanding with the Mumford Cove Association. Mike Murphy, Director of Planning and Development, noted that a special permit will also be required for this project. Councilor Sheets noted the dredging work

that has already been accomplished by the Association. Councilor Monteiro expressed her support for the project noting that the project should be well-defined to avoid criticism of the Town.

2009-0123 Non-Resident Taxpayer Voting Authorization

Discussed

Mayor Watson noted receipt of information from the Town Clerk and the Town Attorney on this issue. The Town Attorney has indicated that the current Charter does not allow non-resident taxpayers to vote. Councilor O'Beirne stated there was no intent by the Charter Revision Commission to either allow or disallow non-resident voters, but instead to refer back to state statute requirements. Councilor O'Beirne suggested that the Town Council publicize the inability of non-residents to vote if the Town Attorney opinion is accepted. Councilors asked for time to read through the opinion.

2009-0215 Setting the Form of the Question and Referendum Date for the Thames Street Rehabilitation Ordinance

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

The motion carried unanimously

2009-0212 Transfer of Vehicle to Board of Education

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

The motion carried unanimously

2009-0218 Justice Assistance Grant (JAG)

Discussed

A motion was made by Mayor Watson, seconded by Councilor Sheets, to suspend the rules to add 2009-0218 Justice Assistance Grant (JAG) to the agenda.

The motion carried unanimously.

The Town has been notified that there are \$30,000 available to the Town of Groton, but an application must be submitted. The Town's proposal is to purchase up to 15 automated external defibrillators to equip patrol cars.

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

The motion carried unanimously

2009-0152 Town Manager Annual Evaluation

Discussed

Mayor Watson noted that he has received seven evaluation forms. He encouraged all Councilors to schedule one-on-one meetings with the Town Manager. Councilor Monteiro would like to know why only seven were received. Councilor Brown-Tracy stated she was out of town for an extended period and the Mayor stated that one Councilor did not feel he has been on the Council long enough.

A motion was made by Councilor Kolnaski, seconded by Councilor Brown-Tracy, to enter executive session to discuss 2009-0152 Town Manager Annual Evaluation at 8:45 p.m.

The motion carried unanimously

Recommended for a Resolution

The executive session concluded at 9:30 p.m. Councilor Antipas returned to the meeting.

Roll Call: Members Present: Mayor Watson, Councilor Antipas, Councilor Brown-Tracy, Councilor Flax, Councilor Kolnaski, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Schmidt and Councilor Sheets

Discussed

Mayor Watson explained that the Council discussed the Town Manager's evaluation for the period of July 1, 2008 through June 30, 2008. His performance was rated midway between exceeds expectations and outstanding.

A motion was made by Mayor Watson, seconded by Councilor Schmidt, to award the Town Manager a 2.5% raise retroactive to July 1, 2009.

Councilor Sheets noted that the Council rated the Town Manager higher than he rated himself and the increase does not reflect the quality of his achievements and performance. Councilor Kolnaski expressed her appreciation for the Town Manager. Mayor Watson noted that the Town Manager is a tireless worker.

The motion carried unanimously

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

None.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

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

The motion carried unanimously.