



# 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 Dean Antipas, Joe de la Cruz, Bruce S. Flax, Bob Frink, Patrice Granatosky, Rich Moravsik, Deborah L. Peruzzotti and Harry A. Watson*

Tuesday, September 8, 2015

6:00 PM

Town Hall Annex - Community Room 1

#### REGULAR MEETING

1. **CALL TO ORDER**

*Mayor Schmidt called the meeting to order at 6:07 p.m.*

2. **ROLL CALL**

Members Present: Mayor Schmidt, Councilor Antipas, Councilor Frink, Councilor Moravsik, Councilor Peruzzotti and Councilor Granatosky

Members Absent: Councilor de la Cruz, Councilor Flax and Councilor Watson

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

3. **Calendar and Communications**

*None.*

4. **Approval of Minutes**

**2015-0224 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 25, 2015 are hereby accepted and approved.

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

**The motion carried unanimously**

5. **UNFINISHED BUSINESS**

*None.*

6. **NEW BUSINESS**

**2015-0009 Joint Meeting with Board of Education (2015 Standing Referral)**

**Discussed**

*Katrina Fitzgerald, Andrea Ackerman, Beth Gianacoplos, and Kim Watson (6:23 p.m.) from the Board of Education and Superintendent Mike Graner, Assistant Superintendent Susan Austin-LaFrance, and Business Manager Don Meltabarger from Groton Public Schools were present.*

*Representatives John Scott and Aundre Bumgardner were also present.*

*Councilor Frink distributed and reviewed a summary that he prepared of the issues he wanted to discuss concerning how to maximize revenue that the Town receives.*

*Dr. Graner noted that the ECS grant has remained relatively flat for 10 to 12 years at about \$25 million. State funding does not increase when the budget goes up and it represents about one-third of the school budget. There has been some movement to look at the Education Cost Sharing (ECS) formula, but it is unknown whether Groton's share would increase or decrease. Dr. Graner stated he will continue to work with state representatives on the issue.*

*Funding for special education (IDEA) is a pass through grant from the federal government. While the goal in 1974 was to fund 50%, that has never happened and mandated services are not backed up by federal funding. Dr. Graner explained the Excess Cost grant, which is another special education grant where the funds are capped by the state. He stated it would be helpful to work with the legislators on the cap.*

*Dr. Graner explained how civilian children living in Navy housing are counted and the difference in the reimbursement rate. Discussion followed on the federal impact form and attempts to increase the return rate. Dr. Graner noted it is important to partner with the magnet schools on the issue.*

*Councilors Flax and de la Cruz arrived at 6:27 p.m.*

**Roll Call:** Members Present: Mayor Schmidt, Councilor Antipas, Councilor de la Cruz, Councilor Flax, Councilor Frink, Councilor Moravsik, Councilor Peruzzotti and Councilor Granatosky  
Members Absent: Councilor Watson

*Councilor Frink suggested identifying the more onerous unfunded state mandates for education noting that because state funding does not keep pace with budget increases, 100% of the increase is borne by the taxpayers.*

*Councilor Antipas noted two issues with ECS: the level of funding and the allocation among the towns by percentages. He questioned Connecticut's expenditures versus towns' expenditures relative to other states. With respect to the education costs associated with Navy children, Dr. Graner estimated that federal funding covers around 10% of the costs.*

*Councilor Flax wondered if it would be better to look at the federal funding issue as part of a coalition of municipalities. He suggested that the Board of Education focus on finding efficiencies to keep the budget under the Minimum Budget Requirement (MBR).*

*Councilor Granatosky suggested that the Council identify mandates that should be repealed and then look at the associated impacts.*

*Councilor de la Cruz noted that zero increases in the education budget are not reasonable in a labor contract environment. Mandates such as racial balance are costly. Councilor de la Cruz stated he would like to see magnet schools in Groton and Dr. Graner noted that he would like to have Fitch designed an IB magnet school, which could bring in an additional 50 students and \$500,000 in revenues. Councilor de la Cruz asked if there have been any studies on the impact on towns surrounded by towns with magnet schools.*

*Representative Scott stated that making Fitch a magnet school is a "lead end." He explained that it is a complex procedure to pass a bill and the process usually involves very little public comment unless it is from regional agencies. Representative Scott encouraged the Town to fill the position that reported on what was going on in Hartford. Public comment from individual municipalities impacts decisions when deliberations are taking place. Representative Bumgardner agreed that if the impact is specific to Groton, regional entities may not advocate as effectively.*

*Board of Education Chair Watson raised the issue of "process" and expressed the desire to prepare Board of Education members for upcoming meetings and to set expectations for legislators. Councilor Frink noted that Dr. Graner indicated he would take the lead and coordinate action items on the issues that have been raised. Beth Gianacoplos stated that the Board of Education can discuss mandates and bring the information to the next joint meeting. Councilor Peruzzotti noted that a joint meeting would also allow the Council to advise the Board of Education of its biggest concerns prior to budget discussions.*

*Representative Scott noted that if there are items that require legislative action, he must have the information by December.*

*Councilor Moravsik asked for a definition of the ECS formula from Dr. Graner for the next meeting.*

*Discussion followed on the next meeting, combining it with the Town Council/RTM/Board of Education Liaison Committee meeting, and the time limit for getting information to legislators. Town Manager Oefinger suggested that the Council should meet regularly with the Board of Education.*

*Board Chair Watson and Mayor Schmidt stated they would confer and choose a date for the next joint meeting.*

*Mayor Schmidt thanked everyone for attending.*

*The Committee recessed at 7:35 p.m. and reconvened at 7:45 p.m.*

**2015-0011 Meeting with State Legislators (2015 Standing Referral)**

**Discussed**

*See discussion under #2015-0009 Joint Meeting with Board of Education in September 8, 2015 Committee of the Whole minutes.*

**2015-0219 FYE 2017 Budget Discussion**

**Discussed**

*See discussion under #2015-0009 Joint Meeting with Board of Education in September 8, 2015 Committee of the Whole minutes.*

**2015-0132 State Funding for Education**

**Discussed**

*See discussion under #2015-0009 Joint Meeting with Board of Education in September 8, 2015 Committee of the Whole minutes.*

**2015-0133 Federal Funding for IDEA**

**Discussed**

*See discussion under #2015-0009 Joint Meeting with Board of Education in September 8, 2015 Committee of the Whole minutes.*

**2015-0134 Civilian School Children Residing in Navy Housing**

**Discussed**

*See discussion under #2015-0009 Joint Meeting with Board of Education in September 8, 2015 Committee of the Whole minutes.*

**2015-0135 State Mandates for Education**

**Discussed**

*See discussion under #2015-0009 Joint Meeting with Board of Education in September 8, 2015 Committee of the Whole minutes.*

**2015-0220 Discussion of Town Council Rules**

**Discussed and Recommended no action taken**

*Councilors received a copy of the 29th Town Council Rule in their agenda packets. Councilor Peruzzotti suggested that the rules are not being followed and she noted the following specific examples:*

- Rule 6 a) - Referrals are to be made at regular meetings of the Town Council unless there is a time crunch that requires them to be made between meetings, in which case they are to be announced at the regular meeting.
- Rule 6 c) - Only the Committee of the Whole can move its referrals to another committee. Councilor Peruzzotti added that the rules are in place so that all Councilors are aware of what is taking place in standing committees.
- Rule 11 c) - It is important that committee chairs make timely reports and include as much information as possible when making a report to the full Council.
- Rule 11 f) - Any subject discussed by a standing committee must be referred to the Committee of the Whole if it will involve an ordinance. In other words, referrals must go through the proper channels.
- Rule 11 j) - The Mayor and Town Manager decide what is placed on standing committee agendas.

Councilor Peruzzotti stated that the Town Council is a single body of nine people and not nine individuals. She stated that the Council must move forward cohesively.

Councilor Flax noted that the recent Public Safety Committee minutes state the opinions of an individual Councilor and he questioned if the rules address a Councilor expressing his personal opinions in a public forum. He expressed concern with an individual Councilor offering an opinion as fact and the moving forward based on that opinion. Councilors cannot choose an issue and run with it, doing their own individual research. Staff should be involved in the process.

Councilor Frink feels that Councilors can have their own opinions. Councilor Flax agreed, but feels that Councilors are expressing their individual opinions as those of the Council and committee decisions are being made based on one person's opinion.

Councilor Granatosky suggested that the chair of a committee has a responsibility to report what happens at the meeting and the right to report their opinion, but one person should not express an opinion for the whole Council. Councilor de la Cruz, a member of the Public Safety Committee, feels the minutes reflect what Chairman Moravsik found. Discussion followed on the actions taken by the committee.

Councilor Moravsik noted that when he heard from the fire chiefs about problems with Groton Ambulance, he contacted the Town Manager and the head of Emergency Communications to verify the allegations and then called in the head of the ambulance. The R-1 agreement is a state requirement for all fire districts as well as the ambulance services.

Councilor Antipas, another member of the Public Safety Committee, noted that the minutes reflect committee members' concerns about the Committee's original charge and the movement from a discussion of problems in the Poquonnock Bridge Fire District to other services.

In response to Councilor Moravsik, Councilor Peruzzotti noted that the Town Council works with the Town Manager not the Town Clerk. Information needs to be distributed through the Town Manager's office.

Councilor Flax noted that referrals are moving through the relatively new Public Safety Committee rapidly, and perhaps the process should be slowed down. If there are issues with Groton Ambulance, the full Council needs to talk to them. Councilor Moravsik stated that Groton Ambulance has corrected their situation.

Mayor Schmidt summarized noting that committees need to make full written reports to the Council and she will read referral narratives at Council meetings before sending them to a committee. Mayor Schmidt also feels it should take five Councilors rather than three to make a referral to ensure that subjects are a concern of the whole Council.

**2015-0194 Groton Utilities - Taxation without Representation?**

**Tabled**

**2014-0312 School Facilities Initiative Update**

**Discussed**

*Town Manager Oefinger advised that the School Facilities Initiative Task Force will be making a presentation to the RTM, Board of Education, and Town Council at the September 9th regular meeting of the RTM. The next Task Force meeting is September 10th. The Town Manager noted that the soonest a referendum on the school could be held would be November 2016. He then reviewed a change in legislation that allows the Town to submit an application for state funding prior to receiving local approval for school construction.*

**2013-0299 Establishment of a Charter Revision Commission**

**Discussed**

*There were no minutes available from the August 31st RTM Rules and Procedures Committee meeting where this item was discussed so discussion was tabled.*

**2015-0217 Subase Centennial Anniversary**

**Discussed**

*Town Manager Oefinger noted receipt of a draft proposal from Quinn and Hary for marketing and communication assistance in association with the Submarine Base Centennial Anniversary in the amount of \$20,000. The City of Groton will be considering a \$10,000 commitment and the Town Manager is requesting the Town Council to do the same. Some funds may be available in the Town Manager's budget for Navy related support activities, and the rest can come from economic development funding or Contingency.*

**A motion was made by Councilor Moravsik, seconded by Councilor de la Cruz, to authorize the Town Manager to sign the contract with Quinn and Hary and approve \$10,000 as the Town's share of the project.**

**The motion carried unanimously**

**2015-0136 Effects of Heroin on the Community**

**Discussed**

*Councilor de la Cruz is going to Gloucester on September 14th with approximately 15 people to observe the process established in that community to assist heroin addicts. Councilor de la Cruz also noted that there will be a family support group meeting at the library on September 23rd at 7:00 p.m. sponsored by Community Speaks Out.*

**2015-0199 Emergency Medical Services for R-1 and Ambulance Service**

**Discussed**

*Councilor Moravsik provided background on this issue noting that the State Department of Health Services (DHS) asked municipalities to enter into agreements with their ambulance services in 2002. The Town and ambulance services were unable to come to an agreement at that time. Councilor Moravsik feels the Town is liable to make sure the public service area is covered. Agreements with the fire services are also required because they provide first responder service. A recommended agreement will be provided by DHS. Councilor Moravsik stated that Town Manager should issue a letter to each of the fire departments to enter into these agreements. Councilor Moravsik will be meeting with DHS on the ambulance service.*

*Town Manager Oefinger noted that DHS is currently developing performance measures. He suggested that a discussion occur before the Council takes any action on agreements. While the agreement is mandated, there is no penalty and no ability to adjudicate if the two sides don't agree. Groton is not the only community that does not have agreements in place.*

Councilor de la Cruz explained that the Town and ambulance services were not able to reach an agreement in the past because the Town would have had to fund the service if the ambulance did not make enough money.

Councilor Flax questioned a statement attributed to the Town Manager about Groton Ambulance not being capable of providing the level of service needed. The Town Manager denied ever making that statement, and Councilor Antipas, who did the minutes, stated that it was direct quote from Chairman Moravsik. Councilor Flax asked that it be removed from the Public Safety Committee minutes.

Councilor Flax asked if there are any financial implications of entering into the agreement, and although Councilor Moravsik stated no, the Town Manager stated that it depends on the agreement. The previous proposal would definitely have had financial implications. The Town Manager further explained that although no agreement was reached in 2002, the Council authorized an Emergency Management Services Study and the recommendations from that study served as a blueprint for Groton Ambulance to get its house in order.

2015-0201

**PILOT Funds for State and Town Owned Property - Methodology and Future Distributions Discussed**

Councilor Moravsik reviewed the brief history he prepared on the State PILOT funds, suggesting that the formula and payments need to be reviewed and corrected so that Poquonnock Bridge Fire District receives more money. Mayor Schmidt offered another option for how to calculate the fund distribution, which would result in lower payments to the fire districts.

Councilor Antipas stated the original 50% allocation appears to be arbitrary and the Council could revisit it. There are several different ways of looking at the allocation method to determine fair, "and he would not need information.

Councilor Flax stated that PILOT funds are not provided for the purpose of fire protection. It is up to the Town to decide what to do with the funding received from the state. It is an issue of tax burden and increasing payments to the Poquonnock Bridge fire district would require taxpayers to pay a larger share. He suggested that it would have been a more balanced conversation if Councilor Moravsik had cited other fire districts in his analysis.

Councilor de la Cruz noted that lower PILOT payments to the fire districts result in a higher mill rate. Taxpayers in the Poquonnock Bridge fire district are paying for Poquonnock Bridge to cover other areas of Town.

Councilor Antipas suggested that the mill rate in the Poquonnock Bridge Fire District would not be affected by extra PILOT funding from the Town. He questioned how many tax dollars would be generated if Bluff Point could be taxed by the Town and the Fire District.

Councilor Granatosky noted that the PILOT funds are reimbursing fire departments for the cost of providing fire protection for exempt properties. Councilor Moravsik noted these costs have increased, but the PILOT funding has not.

Councilor Flax feels that the increasing costs demand a discussion about fire protection by the nine fire districts in the Town. The discussion must cover the Town in its entirety.

Councilor Peruzzotti asked Councilor Moravsik to provide copies of his notes to the Town Manager for distribution to the Town Council. Councilor Granatosky asked for the report of the Consolidation Committee as well. Town Manager Oefinger provided a history of the Committee, which did a significant amount of work, but reached a point where it needed assistance from a consultant. Funding was authorized by the Town Council. The effort also required buy-in from

*the fire districts, but the Town could not them to participate. Although a lot of work was done, the information may not be useful at this time.*

**2015-0188 Distribution of PILOT Funds for State Owned Property**

**Discussed**

*See discussion under #2015-0201 PILOT Funds for state and Town Owned Property - Methodology and Future Distributions in September 8, 2015 Committee of the Whole minutes.*

**2014-0202 City Highway Budget Committee - Update**

**A motion was made by Councilor Peruzzotti, seconded by Granatosky, that the Town Council enter into executive session at 9:03 p.m. with Town Manager Mark Oefinger and Town Attorney Matt Auger pursuant to Connecticut General Statutes Section 1-200(6) to discuss strategies and/or negotiations about likely pending claims by the City against the Town concerning the pending City highway budget funding request.**

**The motion carried unanimously**

**Discussed**

*The executive session ended at 10:15 p.m.*

**A motion was made by Councilor Peruzzotti, seconded by Councilor Flax, to hire a consultant to mediate the City Highway budget process.**

**The motion carried unanimously**

**2015-0005 Pending Litigation (2015 Standing Referral)**

**A motion was made by Councilor Frink, seconded by Councilor de la Cruz, that the Town Council, Town Manager Mark Oefinger and Town Attorney Mike Carey go into executive session at 10:20 p.m. pursuant to General Statutes Section 1-200 (6) (B) for the purpose of discussing strategy and negotiations related to pending litigation and/or pending claims concerning Stonington Behavioral Health Inc.**

**The motion carried unanimously**

**Discussed**

*Councilor Flax left the executive session at 10:47 p.m. The executive session ended at 10:50 p.m.*

**Roll Call:** Members Present: Mayor Schmidt, Councilor Antipas, Councilor de la Cruz, Councilor Frink, Councilor Moravsik, Councilor Peruzzotti and Councilor Granatosky  
Members Absent: Councilor Flax and Councilor Watson

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

*None.*

**8. OTHER BUSINESS**

*None.*

**9. ADJOURNMENT**

*The meeting adjourned at 10:50 p.m.*