



# 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 Heather Bond Somers, Councilors Dean G. Antipas, Bruce S. Flax, Bill Johnson, Karen F. Morton, Deborah L. Peruzzotti, Rita M. Schmidt, James L. Streeter, and Harry A. Watson**

Tuesday, September 24, 2013

6:00 PM

Town Hall Annex - Community Room 1

#### REGULAR MEETING

#### 1. CALL TO ORDER

*Mayor Somers called the meeting to order at 6:06 p.m.*

#### 2. ROLL CALL

Members Present: Mayor Somers, Councilor Antipas, Councilor Flax, Councilor Johnson, Councilor Morton and Councilor Streeter

Members Absent: Councilor Peruzzotti, Councilor Schmidt and Councilor Watson

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

#### 3. Calendar and Communications

##### 2013-0164 **FYE 2014 Budget Follow-up**

##### **Discussed**

- *Fire District PILOT Payments*

*Noank Fire District*

*Chief David Steel and Noank Fire District Board members Frank Socha, Katherine Rathbun, and Paul Bates were present to address the Council.*

*Mayor Somers explained this is an opportunity to meet in an open forum to ask questions and discuss any issues. Town Manager Oefinger explained the PILOT (Payment in Lieu of Taxes) funding. Funds are distributed to the fire districts based on a formula. Initially the funds came from the state, but the Town added to it in 2001 based on the acreage of Town assets within the districts. During the FYE 2014 budget deliberations, the Council approved the PILOT funding with the understanding that there would be a discussion with each of the district's before the funding was distributed.*

*Councilor Flax noted a difficulty in getting the nine fire districts together to talk about opportunities to create efficiencies. Town Manager Oefinger explained that there was a period of time when the Council was trying to get all of the districts together, before it was decided that the Town Manager should meet with just the chiefs. This was during the time when a draft RFP for a Town-wide fire assessment was being developed. Chief Steel stated he attended those meetings and he is still amendable to meeting with the other districts.*

*In response to a question about trash pickup, Mr. Socha explained that in Noank the residential trash pickup is done through an enterprise fund that is not funded by taxes. The program is not mandatory, but it does have a 95% participation rate. Pick up is two times per week, with recycling on alternating weeks. The district contracts with a hauler at a significant cost savings and the Town bills for the tipping fees of the hauler.*

*Councilor Morton asked about the number of volunteer and paid staff. Chief Steel reported there is a paid person on staff from 7:00 a.m. to 5:00 p.m. There are 20 volunteers, 9 of which are*

firefighters. Mayor Somers asked about Noank's approach to training and Chief Steel described the program that meets OSHA requirements. Volunteers are encouraged to obtain their Fire Fighter I certification, but it is a big commitment that takes several months.

Councilor Antipas questioned the financial health of the district. Mr. Socha noted that the taxpayers support the budget. The biggest change was the introduction of paid daytime firefighting personnel, which doubled the budget. Money is set aside each year for new equipment. Noank has a 1.39 mill rate for a \$450,000 budget.

Councilor Streeter questioned Noank's equipment and Chief Steel provided a description of each piece of equipment. 70% of Noank's calls are medical and Noank provides mutual aid to other districts. Noank does not anticipate hiring any additional full-time personnel at this point.

Mr. Socha, who is also a dispatcher for the Town, stated that every fire district in the Town has excellent response time. Timely response is the most important thing in an emergency. Chief Steel noted that there are fewer volunteers in Noank than there used to be and he would provide the average number of volunteers that respond to a call. Volunteers respond from their houses, not the fire station.

Councilor Flax asked if there is any coordination of equipment between districts. Chief Steel stated that Noank's equipment meets ISO requirements for the district size. The ISO rating system is based on a number of factors including equipment.

The Noank Fire District owns the water company and the water distribution system, so the hydrants are maintained in-house.

Mayor Somers asked what Noank considers the ideal number of volunteers and if there are any suggestions about what the Town could do to recruit more volunteers.

Mr. Socha noted that there have been a number of changes that have decreased the number of fires so firefighting doesn't generate the same level of interest for volunteers. Medical calls keep the activity level and interest up.

Councilor Schmidt arrived at 6:34 p.m.

**Roll Call:** Members Present: Mayor Somers, Councilor Antipas, Councilor Flax, Councilor Johnson, Councilor Morton, Councilor Schmidt and Councilor Streeter  
Members Absent: Councilor Peruzzotti and Councilor Watson

**Discussed**

Mr. Socha emphasized that the Town's central communication center is 35% of the ISO rating so it is very important in the Town of Groton.

The Council thanked Chief Steele and the board members for attending.

*Mystic Fire District*

Chief Fritz Hilbert and Board members Bill Cannon, Bill Ward, John Mershon were present to address the Council. Councilors received information including the call of the annual meeting and the annual report to the taxpayer. The annual report described the board, the equipment, and the replacement cycle. Equipment and capital expenditures are funded with a combination of cash and bonds. Mr. Cannon reviewed the district's indebtedness. The Mystic Fire District has \$1.3 million in general fund balance with \$700,000 designated for capital expenditures. Mr. Cannon reviewed the FYE 2014 budget and how the mill rate is calculated. The Mystic River Park owned by the district is self-supporting. Councilors also reviewed the Fire Chief's annual report documenting the number of types of calls last year. Over 70% of the district's calls were medical

responses, which is typical of fire districts. Mr. Cannon also distributed a summary of the activities of the Fire Marshal's department including inspections.

In response to Councilor Flax, Mr. Cannon explained that the fire district has always provided residential trash pickup. Stonington took over with municipal pick up on their side. On the Groton side of the fire district the cost is included in taxes. The program costs \$343,000. For calls, Mystic responds with one piece of equipment from each station. Its primary service area is mostly assigned to Mystic River Ambulance, with mutual aid from Stonington Ambulance and Groton Ambulance. First responders do not transport; they respond because the ambulance is busy. The Fire Department does not respond to all medical calls. The level of response is determined by an emergency medical dispatch system. Mr. Cannon explained that the State of Connecticut mandated a 6 minute response time in the 1990s. The only way to accomplish that is to have the police and fire department respond. Mr. Ward further noted that Mystic River Ambulance covers three fire districts as their resources are stretched thin. Chief Hilbert explained that the fire department responds with all equipment to a medical call in case they need to respond from there to a fire call.

Councilor Schmidt noted that fire departments have additional responsibilities including issuing blast permits.

Mayor Somers asked about training for the fire boats. Chief Hilbert explained that the primary operators are trained to Coast Guard standards. There is a different level of training for deckhands. The Port Security Grant will allow joint training with other towns.

Chief Hilbert expressed his willingness to meet with the other districts; however he thinks that if the Town Council wants to meet at the executive level, they should be meeting with the fire district boards.

In response to Councilor Streeter, Chief Hilbert stated that Mystic has between 40 and 50 volunteers, with 75% having the Fire Fighter I certification. With respect to the impact of providing a ladder truck for Poquonnock Bridge calls, Chief Hilbert spoke with Chief Paige and agreed that Mystic would only go to serious calls because it was onerous on the volunteers and it was straining resources. Mystic did not charge for responding.

Training is done in-house, locally, at the state fire academy, and at the national fire academy. Mr. Cannon noted the facilities that are available at the Hoxie Station. Chief Hilbert noted that the Connecticut Fire Chiefs had a significant grant to outline the demographic of each town and identify how to attract volunteers. Groton participated, but the results have not been analyzed yet.

Mr. Cannon suggested that any discussion of pensions and benefits should include unfunded liabilities. Mystic has none. Mystic's volunteers are still interested in fighting fires and the fire boat training has helped. Mystic does assist other departments with equipment needs.

Speaking as a taxpayer, Mr. Cannon expressed concern with what will happen to the ISO ratings in Poquonnock Bridge and what the increased cost will be for Town buildings as a result of not having a ladder truck. Mr. Ward invited the Council to attend the Mystic Fire District Board meetings.

West Pleasant Valley Fire District

There was no one present from the West Pleasant Valley Fire District.

**4. Approval of Minutes**  
**2013-0228 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 27, 2013 are hereby accepted and approved.

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

**The motion carried unanimously**

**5. UNFINISHED BUSINESS**

*None.*

**6. NEW BUSINESS****2013-0224 Preliminary Results of Operations - FYE 2013****Discussed**

*Sal Pandolfo, Director of Finance, presented preliminary, unaudited figures showing the results of operations for FYE 2013. The full audit is due in December. Mr. Pandolfo reviewed expenditures, which were \$1,591,061 under budget. On the revenue side, major increases over the budgeted amount occurred in collected taxes, state grants in aid-education, total federal grants in aid, and other revenue. Revenues were \$2,229,833 over budget which means that there is no need to use any of the Fund Balance Applied designated for the FYE 2013 budget.*

*With this increase in fund balance, the Town's is at 9% while its peers are averaging 11%. The Town may want to consider increasing its fund balance when the final audit comes in.*

*Councilor Antipas asked how these figures reflect on the Town's competence. Mr. Pandolfo explained that the underlying issues could not have been predicted and the final resolution on the state grants was received only recently. The Town Manager explained that he uses pretty conservative estimates when preparing the budget, using the governor's budget numbers for the most part. There is always some variation from the budget, but these revenue and expenditure variances are specific to last year. The Town tightened its encumbrance policy and there were more retirements and vacancies than anticipated. Evaluating vacant positions takes some time and results in cost savings. The Town Manager stated there is nothing systemically wrong with how the budget is prepared.*

*Councilor Flax feels that a 7.5% fund balance is sufficient and the recent bond rating from Fitch Ratings supports that. Mr. Pandolfo noted that the most important thing is consistent policy. The bond rating agencies always raise the issue that the Town is below its peers. Staff's recommendation would be an incremental increase by 0.5%.*

*The Town Manager noted that historically any savings have been applied to the next year's budget. The Town has a better bond rating than it should perhaps because the Town Council, RTM and staff are disciplined. An incremental increase will be looked at positively, especially when the community's grand list is taking a hit from Pfizer. The most recent questions from the bond rating agencies concerned the impact of recent storms on the budget and the status of the Town's fund balance.*

*Councilor Flax asked why the fund balance in all account couldn't be considered in the General Fund Balance, and Mr. Pandolfo explained that the Town cannot comingle the General Fund with special revenue funds. Mayor Somers asked staff to research the debt ratios of the Town's peers and provide that information to the Council.*

*Mr. Pandolfo thanked Representative Wright for her diligent work obtaining additional state funding for the Town and he explained the circumstances.*

*The Town Manager reiterated that any increase in fund balance is a potential offset to future*

negatives. All factors are also relative to how other communities are doing. Bond rating is not an exact science. For example, the longevity of key Town employees is a positive, but as people leave those positions, it may be viewed as a negative.

Councilor Johnson noted that the Town's good bond rating results in a lower cost of borrowing.

The Mayor stated that further discussion of the fund balance would occur after the audit is completed.

**2012-0196****Mystic Streetscape Project - Update****Discussed**

Michael Murphy and Rick Norris of Planning and Development Services were present to review Phase II of the Mystic Streetscape Project. Councilors received information on the project's key components, chronology, and anticipated schedule. Phase I of the project terminated at the public rest rooms. Phase II includes landscaping, sidewalks, parking improvements (existing and new), benches, and crosswalks. An overgrown state-owned parcel will be cleaned up and re-landscaped. There is no undergrounding of utilities. Lighting on Water Street was already changed as part of Phase I. Mr. Norris noted that the components of Phase II are similar to Phase I and a significant amount of time was spent on the bid specification based on lessons learned in Phase I. The project will include an end certain date of June 30, 2014. Plans must be submitted to the state for final approval and the project will go out to bid on October 5th. The bid opening will be on October 31st.

The project will cost \$1.2 million cost, and is 80% reimbursable. The 20% Town match will come from LoCIP funding. Mr. Norris noted that the Town has a public information plan and has met with individual property owners in the project area.

Councilor Morton asked if the dedicated parking space at the community policing office can be made available to the public. The office will be used as a construction office during Phase II and the person assigned to the project will use the space during construction. Chief Crowley noted that the parking space is used quite frequently by officers when they go on foot patrol in downtown Mystic.

Councilor Antipas asked if the end certain date is a substantially complete date. Mr. Norris anticipates it will be the actual end date. Phase II is a simpler project located farther away from the downtown area. Three catch basins will be installed and there is some utility company involvement in the project.

Mayor Somers asked what will happen if it takes the state longer to review the project than anticipated. Mr. Norris indicated the start date would be pushed off to April 1st instead of February/March, but the contractor will still have to meet the June 30th deadline. Mayor Somers asked for monthly updates on the project.

Councilor Streeter suggested moving the utility poles earlier in the project to allow sufficient time to complete that portion of the project.

**2013-0223****Hazard Mitigation Grant Program****Discussed**

Town Manager Oefinger this grant is for the wind retrofit of the Highway Garage. The Town match dollars for the project were approved in the CIP. The Town Manager is requesting Council authorization to sign the grant agreement.

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

**The motion carried unanimously**

2013-0233

**Police Boat Accident****Discussed and Recommended no action taken**

*Police Chief Michael Crowley and Captain Steve Sinagra were present to address the Council. The Town Manager explained that the police boat was involved in an accident on the Thames River and the purpose of having this item on the agenda is to review the incident, answer questions, and talk about procedures and training going forward. Chief Crowley explained that the incident occurred on August 31st and since that time many questions have been raised. The police boat was procured with a Port Security Grant. The grant requires that the New London port area be patrolled by all departments that received the grant. Town police have jurisdiction in all waterways. On August 31st, the operator of the police boat saw an obstruction that she thought was a log, took evasive maneuvers, and hit an underwater jetty that was not visible. It was noted that the Town Council has received the police reports.*

*Councilor Flax stated that he read about the incident in the newspaper. He is concerned with the lack of information that has been provided about the event and the appearance of something wrong. Chief Crowley explained that an incident report was done immediately. A Department of Energy and Environmental Protection (DEEP) report was done on September 2nd. There is no requirement to report a boating accident to the Coast Guard. A report of damage to Town property was delivered to Human Resources on September 3rd after the holiday weekend. The insurance company was notified immediately. Captain Sinagra explained that investigations take time and the reports are not available immediately.*

*Chief Crowley takes offense to the suggestion that there was a cover up. The incident was reported in the proper manner and notifications were immediate. A thorough investigation was completed, but it takes time. It was an unfortunate accident that has drawn an inordinate amount of attention.*

*Councilor Morton feels the rumor mill was unfortunate. She stated she is familiar with both officers involved in the accident and they are highly respected and professional members of the department. She has no doubt that it was an accident and she is dismayed that their professional integrity is being questioned.*

*Councilor Antipas noted there was a difference between what happened and what was reported in the newspaper. Captain Sinagra stated he was misquoted and explained that he received a message to call The Day on Tuesday, September 3rd. As a point of clarification for the Council, he explained that the tower of the boat is designed to fold down; it was not damaged in the accident. Captain Sinagra told the reporter from The Day that there was an ongoing investigation and he could not comment. He also said that speed was not a factor in the accident.*

*Councilor Schmidt questioned the level of training of Officer Crandall, who was operating the boat. Chief Crowley stated that the only requirement to pilot a boat is an 8 hour safe boating course in a classroom, but officers on the police boat do additional training with trained officers. They do not take the boat out by themselves and this was not Office Crandall's first time operating the boat. There is ongoing, specialized training for the police boat that both officers attended.*

*Captain Sinagra reiterated that no operation of a boat is required for a certificate, but that is not acceptable in law enforcement. Since the marine group was formed, there has been an effort to standardize training. All training is done to Coast Guard standards and it is ongoing, but the Town does not have a full time marine unit so it takes time. In response to Councilor Flax, Captain Sinagra indicated there are two people currently trained to operate the police boat. The officers chosen for training are determined by interest level and capability, as determined by Captain Sinagra who is the training officer. The police boat is a regional asset and the goal is to train everyone to the same level.*

*In response to Councilor Johnson, Chief Crowley stated three police boats were purchased with the regional grant and a fourth is coming. Captain Sinagra explained that the police boat concentrates its patrols in Groton, but personnel are also responsible for patrolling other areas so training must be conducted in other areas. The scheduling of training between departments isn't always coordinated because of the availability of personnel.*

*Mayor Somers stated that people who have seen the boat wonder how the damage could have happened. She questioned Sergeant Hoffman's experience and Captain Sinagra noted that Sergeant Hoffman has been boating for 25+ years and has hundreds and hundreds of hours of experience. Mayor Somers noted that the dikes are visible on the chart and the boat should not have been travelling at that rate of speed. She asked how far the boat was off shore and Captain Sinagra stated he would get that information to the Council. Captain Sinagra stated he has lived on the Thames River and boated there for 20 years. That area of the river is not dangerous if you are in the channel, but if you are not familiar with the area, you can get into trouble.*

*Mayor Somers stated she would like to see a better, consistent training program for boat operators with training done by a non-officer. Captain Sinagra explained that the grant funding must be spent on FEMA-approved courses.*

*Chief Crowley stated this is one accident in the entire history of the marine program. It was an accident and he will take appropriate action. Unfortunately, discussion of the accident is being fueled by the misinformation being provided to the media.*

*Mayor Somers reiterated that she would like to see preventative action in the form of standardized training. Chief Crowley stated that officers cannot learn without doing, and they learn under the tutelage of someone who is trained. Sergeant Hoffman lost track of where the boat was in the channel, which is what caused this accident. Councilor Antipas suggested that even if Sergeant Hoffman had been at the helm, the accident still would have happened, which suggests the accident was a lapse and not related to any lack of experience.*

*Councilor Streeter doesn't feel that an outside investigator is necessary as suggested by the Mayor. He expressed trust in the Chief, and added that he knows Sergeant Hoffman and is confident that this was an accident.*

*Chief Crowley conveyed that both officers feel badly about the accident and the negative publicity and mistrusts have affected them.*

*Finally, it was noted that during the course of his investigation, Captain Sinagra did confer with a DEEP captain about certain aspects of the incident.*

**2013-0229**

**Appointments to Trails Coordinating Task Force**

**Discussed**

*By resolution establishing the Task Force, the Town Council is expected to appoint a Town Councilor and two at-large members. Dr. Bernie French who previously approached the Council about creating trails on the Wright Preserve has been recommended as an at-large member. Two other names have been submitted as well: Carla Henschel and Denise Descheneaux. With the Council's consensus, the Mayor referred the potential appointments of Ms. Henschel and Ms. Descheneaux to the Personnel Committee.*

**A motion was made by Councilor Morton, seconded by Councilor Schmidt, to appoint Bernie French to the Trails Coordinating Task Force as an at-large member.**

**The motion carried unanimously**

**Referred**

**2013-0234 Designation of a Veterans' Service Contact Person****Discussed**

*The Town Manager explained that a new public act requires municipalities to designate a Veterans' Service Contact person. Marge Fondulas, Director of Human Services, has offered to be the Town's contact.*

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

**The motion carried unanimously**

**2013-0207 Registrars of Voters Compensation****Discussed**

*Councilor Morton explained that this issue was discussed during budget deliberations. The number of hours worked by the registrars divided by their compensation is \$30 per hour. Councilor Morton feels this is an exorbitant rate in relation to other Town employees and other towns. Since the registrars' pay has historically gone up automatically in the budget, Councilor Morton would propose a wage freeze for the current budget year. Discussion followed on the actual number of hours worked versus the estimate provided at budget time. Councilor Morton noted that in Ledyard, the registrars receive a stipend of \$12,000 per year. It was suggested that the number of voters and polling places has an impact on the registrars. The Council asked the Town Manager to seek salary information from CCM. Councilor Morton suggested that at the very least, the registrars should not get more than other Town employees who received 2% increases.*

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

*The Town Manager noted that the Town has not heard anything from the Commissioner of the Department of Transportation since the Town and City provided him with requested information.*

*Councilors received a resume for Linda Krause for consideration as the Town's representative in the process. The Town Manager met with Ms. Krause and the Town Attorney and feels she would be a good choice. He provided an overview of Ms. Krause's background.*

*Councilors supported the appointment of Ms. Krause as the Town's representative.*

**2013-0232 FYE 2015 Budget****Discussed**

*There will be a joint meeting with the RTM on Monday, September 30th. The RTM has issued their agenda. Mr. Pandolfo will review the FYE 2013 Results of Operations, followed by a discussion about next year's budget process.*

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

*None.*

**8. OTHER BUSINESS**

*Councilor Schmidt distributed a series of Eastern Connecticut Tourism District brochures.*

*Councilor Morton noted that the State Department of Transportation has cleared out the area off of Exit 88.*

*The Town Manager stated he will be out of the office from October 8th through October 14th.*

*Town Manager Oefinger distributed a copy of a letter sent by the Poquonnock Bridge Fire District Board to OPM and an agenda for a district board meeting on Thursday, September 26th noting*

*the board's intent to approach the Town.*

**9. ADJOURNMENT**

*A motion was made by Councilor Streeter, seconded by Councilor Antipas, to adjourn the meeting at 9:26 p.m.*

*The motion carried unanimously.*