



# 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, October 9, 2012

7:00 PM

Town Hall Annex - Community Room 1

#### REGULAR MEETING

1. **CALL TO ORDER**

*Mayor Somers called the meeting to order at 7:04 p.m.*

2. **ROLL CALL**

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

3. **Calendar and Communications**

*None.*

4. **Approval of Minutes**

**2012-0282 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 September 17, 2012 and September 18, 2012 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**

**2012-0167 Pending Litigation (2012 Standing Referral)**

**A motion was made by Councilor Schmidt, seconded by Councilor Peruzzotti, to enter executive session at 7:05 p.m. to discuss 2012-0167 Pending Litigation (Groton Long Point claim) and to include the Town Manager, Sal Pandolfo, Mary Gardner, and Town Attorney Matt Auger.**

**The motion carried unanimously**

**Discussed**

*The executive session concluded at 8:07 p.m.*

**2010-0215 Community Access Television Application to DPUC**

**Discussed**

*The Town Manager noted that additional time is needed to review changes proposed by Comcast. He noted that a special meeting of the Committee of the Whole may be required next week before the Town Council meeting to discuss this item.*

**2009-0124 Ethics Ordinance**

**Discussed**

*Councilors received a draft ordinance and memo from Town Attorney Mike Carey providing an initial review of the document. Mr. Carey stated that the draft code is well done and comprehensive. He has a few questions about legal authorities and general concerns about the*

nature of the entity. It was discovered that the Council did not received Mr. Carey's marked up code and therefore could not discuss it.

The Town Manager provided a brief history of the issue. He explained the Council did not provide much direction to the Ethics Task Force and the document is very comprehensive as a result. Since this effort began, a number of other towns have had ethics issues and the Town may want to research how their ethics codes are working for them. The Town Manager fears this may be another venue for aggrieved parties rather than actually dealing with ethics.

Councilor Antipas agrees that a comprehensive code of ethics can be used as a weapon. He explained that the effort stems from the new Charter provision that requires an ethics commission and an ethics code. The task Force did its work in a vacuum and not in response to some issue. Councilor Antipas noted that the Town could adopt something much shorter. Councilor Flax noted that the Committee spent a lot of time on the document and he feels this is a good working draft.

The Town Manager noted that the idea of a regional ethics commission has been raised at the Council of Governments.

Further discussion was tabled to the next meeting. The Town Attorney's marked up version of the code will be provided to Councilors.

**2011-0177****John Kelley Memorial****Recommended for a Resolution**

Town Manager Oefinger had a discussion recently with Mr. Roy and his associates about placing the John Kelley Memorial at the parklet at the corner of Route 1 and Bank Street in downtown Mystic. This is prominent location that looks down West Main Street. The Town Manager noted on a plan that there may be room off to the side of the patio area for the statue of Mr. Kelley and his dog. This item is on the agenda to determine if the Council is amenable to using this site for the statues. The Town Manager noted other locations that have been considered and dismissed. By consensus, the Councilors indicated they are amenable to locating the statues at the parklet, subject to reviewing the details. The Town Manager noted that the landscape architect for the streetscape project is also reviewing the proposal.

**2012-0145****Permanent School Building Committee - Activity Update****Discussed**

Town Manager Oefinger noted that the Permanent School Building Committee approved a roles and responsibilities document and the Chairman, Rick DeMatto, is asking for the Town Council's approval.

The Town Manager noted that the document represents a pretty dramatic change from how construction projects have been dealt with in the past. He suggested that the Council seek feedback from Wes Greenleaf and Gary Schneider. The Permanent School Building Committee in the past has been used effectively to be a check and balance for the architect and staff. According to this document, they will have a larger role in running the school projects. The Town Manager suggested that the document be referred to the Board of Education for their review. He also noted that Mr. DeMatto could be asked to address the Town Council.

**2012-0238****School Facilities Initiative Task Force****Discussed**

Town Manager Oefinger noted receipt of an updated proposal from Milone and MacBroom to provide consultant services for the long-range school facilities plan. If the Council wants to proceed with the effort, against staff's recommendation, the Town Manager needs authorization to sign the agreement.

*The Town Manager reiterated that in light of issues the Board of Education is facing, the redistricting effort, and the POCD update, he would recommend waiting until the beginning of the year.*

*Mayor Somers agreed that the effort is premature. She fears that when the Committee is set up they will want to move forward, but the school administration has indicated that they do not have the staff to support the committee.*

*Councilor Peruzzotti stated she would like to see the redistricting results before moving forward.*

*Mayor Somers noted that the consultant expressed a desire to wait as well. He feels that having the redistricting and POCD demographic information in hand would be desirable. Mayor Somers stated that she knows people are eager, but the Town must have a direction before starting the effort.*

*Councilor Streeter agreed that it might be a good idea to wait given the staffing issues that the Board of Education is facing.*

*Councilor Morton noted that some people are afraid that nothing will get done, but she doesn't see the hurry. Councilor Johnson feels it is important to have the superintendent and facilities director in place before the effort begins. Councilor Schmidt agreed that the project is too important to rush into.*

*Councilor Flax supports moving forward in some respect noting that there is never an optimal time. He feels that monitoring the redistricting effort would be helpful for this committee. Councilor Flax expressed frustration with the delay. Councilor Antipas also expressed support for having the task force start meeting.*

*Councilor Peruzzotti asked if the potential issues being discussed will impact the consultant's proposed timeline. Mayor Somers explained that the committee needs to be up and running without gaps of time where they are being fed information. Mayor Somers noted that there is not even enough information in the Vision Reports from the Board of Education. She does not believe that the Town Council is responsible for the delay. Mayor Somers has tried to get more information and to get the Board of Education together, but there has been no cooperation. She does not feel comfortable setting up a committee that she can't support. The Town Council is not in charge of the schools' direction. It is the Board of Education's responsibility.*

*Councilor Morton noted the contract gives a specific deadline which is all the more reason to make sure that staff is able to provide the necessary information to the Committee. Councilor Peruzzotti suggested an informal meeting of the group to request their input. Councilor Johnson feels the committee should not be brought together until the contractor is brought on board and ready to go. Councilor Watson thinks it's fine if the group wants to meet, but once the contract is signed, the time clock starts. Councilor Flax suggested assigning a temporary moderator and giving the group some direction. He has no confidence that the effort will start in January. Councilor Morton asked what information the task force would familiarize themselves with and Councilor Flax stated historical data, the Phase II report, and redistricting information. Councilor Morton noted that the Town Manager and Groton Public Schools staff have said they do not have the time or the personnel to provide the information to the task force.*

*Town Manager Oefinger noted that his recommendation to wait is based on the redistricting effort (which is now being challenged by the Board of Education) and the update of the Plan of Conservation and Development. The Town Manager is concerned with staffing, especially with Wes Greenleaf retiring, but his real focus is that there are a lot of things in process that are critical*

*that will feed this effort. He does not want to \$poil the well"and hand out previous reports. He does not know where the redistricting effort is because of the challenge, but the Town Manager still feels that January will be a good time to start because the POCD information should be available at that time.*

**A motion was made by Councilor Morton, seconded by Councilor Schmidt, to defer the first meeting of the School Facilities Initiative Task Force to Wednesday, January 23, 2013.**

**The motion carried unanimously**

**A motion was made by Councilor Watson, seconded by Councilor Morton, to authorize the Town Manager to sign the agreement with Milone and MacBroom with revised dates.**

**Councilor Antipas expressed concern with some of the terms and conditions of the contract, which he will discuss with the Town Manager.**

**The motion carried unanimously**

**2012-0266 Connection Fund Donation**

**Discussed**

*Councilor Watson stated he would like to transfer the \$10,000 Connecticut Fund, Inc. donation from the General Fund to the Spicer Fund so that the RTM is involved in the process.*

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

**The motion carried unanimously**

**2012-0279 Town Departmental Structure - Revision**

**Discussed**

*Town Manager Oefinger explained that when the new charter was developed, all references to Town departments were removed and authority was given to the Council to make adjustments to the organizational structure. Based on discussions at the time, unless there is a major reorganization, changes are more likely to happen as a result of the budget process. The current document has been revised to reflect updated titles and eliminated positions.*

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

**The motion carried unanimously**

**2012-0281 Energy, Efficiency and Conservation Committee**

**Referred**

*Councilor Schmidt noted that the Town's energy consultant will be making a presentation at the Committee of Chairpersons meeting on October 15th at 6:30 p.m.*

*Town Manager Oefinger explained that this item is on the agenda because at the Environment, Energy and Conservation Committee's (EECC) first meeting, on the questioned whether the committee is a committee or a task force and whether he could serve because he is not a resident elector.*

*An analysis of the establishment of the Committee was provided to the Council. The Town Manager feels that the Council meant for the group to be a long term committee. If that is the case, there are housekeeping items that must be taken care of including more detail regarding the Committee's role, how appointments are made, length of service, etc.*

*Mayor Somers referred this item to the Personnel, Rules and Appointments Committee.*

**2012-0146 Ordinance Changing and Redefining the Voting Districts**

**Discussed**

*A subcommittee of Councilors met with staff and the Registrars of Voters and identified changes*

that they would like to make to the voting districts (combining Districts 4 and 5 and modifying the boundary line between Districts 1 and 8). A determination on the line between Districts 1 and 8 will be made after the presidential election and a new ordinance will be developed.

The Town Manager noted that RTM reapportionment will take place after the presidential election and after the districts are combined.

**2012-0200 Adoption of an Ordinance Changing and Redefining the Voting Districts**

**Discussed and Recommended no action taken**

The Town Manager recommended that no action be taken on this ordinance since a new ordinance will be developed in the future.

**2012-0201 Resolution Authorizing Use of a Description of the Ordinance Changing and Redefining the Voting Districts**

**Discussed and Recommended no action taken**

The Town Manager recommended that no action be taken on this resolution since a new ordinance will be developed in the future.

**2012-0175 FYE 2014 Budget Process**

**Discussed**

There will be a special meeting of the Committee of the Whole on October 16th at 9:00 a.m. at the Senior Center to discuss the FYE 2014 budget. A display ad and press release have been done and the information is posted on GMTV and the Town's web site.

Mayor Somers is envisioning a brief introduction followed by an opportunity for the public to speak to Councilors individually. She asked that budget books be available for review. Discussion followed on the format. Councilor Watson suggested that Councilors take notes and put them together at the end of the session.

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

None.

**8. OTHER BUSINESS**

Councilor Watson asked for an update on the police study. The Town Manager has talked to the consultant who has had some difficulty analyzing some of the information received. The consultant is aware that the report must be completed in advance of the budget process and he hopes to have it completed by November 1st.

**9. ADJOURNMENT**

A motion was made by Councilor Watson, seconded by Councilor Flax, to adjourn the meeting at 9:22 p.m.

The motion carried unanimously.