



Town of Groton, Connecticut

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager
860-441-6630

Meeting Minutes

Town Council Committee of the Whole

Mayor James L. Streeter, Councilors Bruce S. Flax, Bill Johnson, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Deborah L. Peruzzotti, Paulann H. Sheets, and Harry A. Watson

Tuesday, October 25, 2011

7:00 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

1. CALL TO ORDER

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

2. ROLL CALL

Members Present: Mayor Streeter, Councilor Flax, Councilor Johnson, Councilor Kolnaski, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Peruzzotti, Councilor Sheets and Councilor Watson

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

3. Calendar and Communications

Town Manager Oefinger noted that on Friday, October 28th there will be a swearing in ceremony for Chief Crowley and Deputy Chief Smith at 3:00 p.m. at the Senior Center.

Also, Mystic Seaport is offering free admission to the Seaport on Friday as part of a series of events celebrating the Morgan.

4. Approval of Minutes

2011-0202 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 October 11, 2011 are hereby accepted and approved.

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

The motion carried by the following vote:

Votes: In Favor: 8 - Mayor Streeter, Councilor Flax, Councilor Johnson, Councilor Kolnaski, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Sheets and Councilor Watson
Abstain: 1 - Councilor Peruzzotti

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS

2009-0124 Ethics Ordinance

Discussed

Dean Antipas, Chairman of the Ethics Task Force, noted that Councilors received the latest draft of the Code of Ethics with notated edits. The Ethics Task Force consisted of Mr. Antipas, Councilors Flax and Sheets, and Councilor Kolnaski as alternate. The Task Force also submitted a supplemental report to the Council addressing three major areas raised in a previous review of the draft code. Mr. Antipas stated he would like the Council to approve a draft that can be sent to boards, commissions, staff and the Board of Education for a 60 day review period.

Mr. Antipas addressed comments submitted by Councilor O'Beirne. The first area deals with

giving a speech at a political event or endorsing a candidate. Mr. Antipas noted this does not have to be in the code, but there is an expectation that there should be some distance between an Ethics Commission and political parties. With respect to the composition of the Commission, Mr. Antipas explained that the Ethics Commission is meant to be a non-political group, but its makeup can be whatever the Council desires. Councilor O'Beirne feels the wording is more restrictive than state statutes regarding minority representation. The next issue is the requirement for a super-majority vote, which Mr. Antipas explained is designed to emphasize the seriousness of the process. With respect to comments on civil penalties, Commission only makes recommendations for fines and penalties. Mr. O'Beirne is concerned that it may not be possible with absences, recusals, or vacancies on the Commission. Next Mr. Antipas addressed civil penalties explaining that only fines allowed under existing laws can be levied. The Code is not meant to supersede any existing laws. Councilor O'Beirne asked that the wording be clarified.

Mayor Streeter questioned the conflict if a person is representing a company doing business with the Town, rather than employed by that company. He also questioned the restriction on membership at a state or national political committee. Mr. Antipas noted that these restrictions do not have to be in the code and discretion can be left to the Council if desired. He noted that the Council is not bound by this draft and can develop a totally different Code of Ethics if desired. Councilor Sheets explained that the concepts in the document are for discussion purposes.

Mayor Streeter noted that this was a comprehensive process and the Council has reviewed drafts previously, but he would like to see it moved along. Councilor Flax feels it is time to move the document along to the boards and commissions to try to achieve a final draft.

A motion was made by Councilor Flax, seconded by Councilor Watson, to forward the draft Code of Ethics to boards, commissions, and other affected parties for review.

The motion carried unanimously

2011-0203 Refunding Prior Years' Bonds (Part 1)

Discussed

Sal Pandolfo and Bill Lindsay, the Town's Financial Advisor, were present to address the Council. As a result of lower interest rates, Mr. Lindsay is recommending that the Town refund some previously issued bonds, which would allow the Town to save an estimated \$864,371.08 over the life of the bonds. These are estimates and actual savings will not be known until the bonds are sold at market. After Town Council and RTM approval, pricing is expected to occur shortly thereafter (November 22nd). If for some reason circumstances change and the savings cannot be achieved, the Town will not proceed with the transaction.

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

The motion carried unanimously

2011-0204 Noank School Reuse Task Force - Update

Recommended for a Resolution

Councilor Flax, Frank Socha, Pat Doyle and Anny Payne of the Noank School Reuse Task Force were present to address the Council. Councilor Flax reviewed the five tasks with which the Task Force was charged. The Task Force started their effort with an extensive tour of the school and review of reports on the school from Public Works. It is estimated that it would cost \$345,000 to demolish the building and from \$600,000 to \$1.6 million to renovate the building. The Task Force initially concluded that the building should be removed, which started a storm in the neighborhood. Throughout the process, a number of citizens participated. The Task Force conducted a survey regarding the property, which was answered by 189 people. Many diverse potential uses were identified. At all times, the Task Force kept in mind demolition and maintenance/renovation costs. Ultimately, the Task Force made three recommendations: 1) that the property remains publicly owned; 2) that the Noank Fire District be given six months to

develop a plan for the property; and 3) that the building be razed if a plan is not submitted and accepted by the Council. Councilor Flax then reviewed the Task Force's progress on the five goals. He noted that the property is zoned R-20 and Noank recently amended their regulations to require a public hearing and Zoning Commission review of any proposed use.

Mayor Streeter thanked the Task Force for its efforts. Town Manager Oefinger noted that just before the meeting, Barbara Reed Collins of the Noank Historical Society gave him a proposal for the property and desiring to work cooperatively with the Fire District.

Councilor O'Beirne asked if there would be a desire to offer the property to other groups if the Noank Fire District doesn't come up with a plan. Councilor Flax noted that neighbors are passionate about the property and potential uses. He noted a petition signed by a number of people wanting the building demolished and the property turned into a passive recreation park.

Councilor Watson asked why the Task Force used the term "open space" rather than "recreational use." Councilor Flax noted that open space could be for recreational use. There was no intent either way. Pat Doyle agreed that there was no differentiation made. Councilor Peruzzotti asked if Noank Zoning would rule out use of the property for fields since they are so in demand around town. Mr. Socha noted the sense of the Task Force and neighbors was that any use would be relatively low impact and low noise, not like an active recreation field.

Councilor Sheets commended the Task Force and said she likes the vision laid out in Mr. Socha's letter. Councilor Johnson agrees with the Task Force's recommendations 1 and 2, and he feels the building should be used. Councilor O'Beirne feels there are more options than presented by the report and he too would support recommendations 1 and 2. Councilor Johnson feels that other groups should be able to make proposals during the six months. Councilor Flax stated that he doesn't disagree, but he is not sure there is any interest.

A motion was made by Councilor Peruzzotti, seconded by Councilor Monteiro, to accept the final report of the Noank School Reuse Task Force and approve recommendations 1 and 2.

The motion carried unanimously

2009-0242

Town-Wide Property Maintenance Code

Recommended for a Resolution

This issued was discussed by Group II at their last meeting. The Committee felt comfortable with what was presented by staff and thought that the document should be referred to the Committee of the Whole for discussion purposes. The concept has changed from a code based on the International Property Maintenance Code to something along the lines of a blight ordinance. Staff has outlined a schedule for adopting an ordinance that includes some time for public information/education sessions. Adoption of a blight ordinance would require some provision for staffing.

Councilor Sheets expressed support for the blight ordinance approach and educating the public about the effort prior to adoption. Councilor O'Beirne questioned the need for a full-time position. The Town Manager explained hiring a technical person would free up the inspectors' time so that the ordinance could be enforced. If the Town wants to do this, it will require additional resources or a decision to stop doing something else. Staffing is an important consideration.

Councilor Johnson suggested that portions of the ordinance are arbitrary. Councilor Flax noted that sight lines from the road and other properties are addressed in the ordinance. That's why public meetings are important. The notions about what is and is not blight need to be worked out. Councilor Peruzzotti clarified that the regulations are meant to address dilapidated, run-down, conditions, not meadows or fields. There is a context to the examples. The Town Manager agreed that there is judgment involved. Staff has no desire to make work for the Town. This ordinance is

in response to complaints from residents and the Town must assure that enforcement is even-handed and across the community. The public education portion of this effort is envisioned to involve a Welcome to Groton session and two or three listening sessions with the Council over a relatively short time.

A motion was made by Councilor Peruzzotti, seconded by Councilor Watson, to facilitate the public listening sessions for the potential blight ordinance.

The motion carried unanimously

2009-0039

Recommendations of the Task Force on Climate Change and Sustainable Community

Discussed

Mayor Streeter recommended representatives from the following agencies for an Energy, Efficiency, and Conservation Commission: Groton Utilities, Electric Boat, Pfizer, U.S. Navy Base, the Town Manager, Planning and Development, Public Works, two members from the previous task force, the Town Council, the RTM, the Board of Education, and UCONN-Avery Point.

The scope of committee should be discussed by the Council.

Town Manager Oefinger noted that he was asked to identify how a staff person would be funded. Some Councilors seemed to suggest that they could only support a position if the position paid for itself. The Town Manager explained that he would hire someone who would attract grants in excess of what it costs the Town to pay the person. The grants would not pay the staff person directly. Currently, there is over \$18,000 available from energy savings rebates. The Town could create a one-year contractual position to start. Councilor Sheets thought that the rebate money would be used to hire someone to go for the grants, which would generate more money (savings and direct rebates).

If the Council concurs with the composition of the Energy, Efficiency, and Conservation Committee, the Mayor stated he will solicit members. It was noted that Committee members do not have to reside in Groton. All Councilors agreed with the Mayor's approach.

2011-0079

Tax Abatement Program for Surviving Spouse of a Police Officer

Discussed and Recommended no action taken

Councilor Sheets distributed and reviewed her analysis and recommendation on the issue of providing tax abatements to surviving spouses of police officers. Councilor Sheets recommends that facts for the last 20 years be compiled on who died while performing their duties and who died outside of working hours, along with deaths experienced strictly in the line of duty. Surviving spouses should also be identified and the Town should analyze how many deaths would likely occur in a year.

Councilor O'Beirne noted that one issue not addressed is why the surviving spouse of a police officer or firefighter is any different from that of other Town employees, emergency service workers, the National Guard, etc.

Discussion followed. The Mayor noted that this is a sensitive issue and it is difficult to draw a line. Most Councilors agreed and the consensus was to drop the issue. Mayor Streeter thanked Councilor Sheets for her efforts.

2007-0238

Groton Heights School Reuse Task Force - Update

Discussed

The Town Manager noted that that the Task Force has met numerous times and conducted a survey. Generally, there is a desire to keep the building and reuse it. Project LEARN has expressed some interest in the property and the Task Force is hoping to arrange a meeting with them. Councilor Kolnaski noted that the next meeting is November 7th and she hopes to have recommendations by the next Committee of the Whole meeting.

2010-0124 Review of Town Council Goals**Discussed and Recommended no action taken**

Mayor Streeter reviewed the seven goals adopted by the Town Council in April 2010 and progress on those goals, as follows:

1. The Phase II School Plan was brought to referendum and rejected in May 2011.
2. The Council is moving forward with the recommendations of the former Climate Change Task Force.
3. With respect to available space, the former Colonel Ledyard School has been leased to the City. The Council has acted on the recommendation of the Noank School Reuse Task Force and received an update from the Groton Heights School Reuse Task Force. The Marine Science Magnet School has opened on the site of the former Eastern Point School.
4. The Thames Street Rehabilitation Project referendum was passed in May 2011.
5. The Property Maintenance Code issue is moving forward with consideration of a blight ordinance.
6. With respect to supporting and promoting existing business and working with the Economic Development Commission, the Sister Cities Committee effort is ongoing.
7. The Parks and Recreation Master Plan Implementation Committee is meeting on a regular basis and provides periodic reports to the Town Council.

2011-0205 Acquisition of Fusconi Property, Crystal Lake Road

A motion was made by Mayor Streeter, seconded by Councilor Kolnaski, to enter executive session at 9:14 p.m. with the Town Manager to discuss potential acquisition of the Fusconi Property on Crystal Lake Road.

The motion carried unanimously

Discussed

The executive session concluded at 9:35 p.m.

2011-0195 Consolidation of Town and Board of Education Services

Discussed

Mayor Streeter noted he is attempting to schedule a joint meeting with the Board of Education and he would like to add this referral to a future joint meeting agenda.

2011-0201 Appointment of Jeff Williams to the Jabez Smith House Committee

Discussed

The Town Manager is recommending the appointment of Jeff Williams to the Jabez Smith House Committee and requesting Town Council concurrence. Councilor O'Beirne noted that the minority rule on Jabez Smith House has not been applied. The Town Manager noted on Mr. Williams' application that he is unaffiliated.

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

The motion carried unanimously

2011-0188 Town Manager Annual Evaluation

A motion was made by Mayor Streeter, seconded by Councilor Monteiro, to enter executive session at 9:36 p.m. with the Town Manager to discuss his annual evaluation.

The motion carried unanimously

Discussed

The executive session concluded at 10:05 p.m.

7. **Consideration of Committee Referral Items as per Town Council Referral List**
- 2006-0305 **Community Wide Fire Protection Analysis**
Recommended for Deletion
 - 2008-0156 **Honoring the Service of Groton Residents in Afghanistan and Iraq**
Recommended for Deletion
 - 2010-0050 **Town-Wide Residential Trash Collection**
Recommended for Deletion
 - 2010-0037 **Accidents at the Route 184/Route 27 Intersection**
Recommended for Deletion
 - 2010-0104 **City of Groton Highway and Police Vehicle Auction Proceeds**
Recommended for Deletion
 - 2010-0112 **Joint Meeting with Economic Development Commission**
Recommended for Deletion
 - 2011-0027 **Parks and Recreation Master Plan Committee Progress Report**
Recommended for Deletion

8. **OTHER BUSINESS**

Discussion followed on the upcoming meeting schedule. The November 9, 2011 Group and Committee of the Whole meetings were cancelled.

9. **ADJOURNMENT**

The meeting adjourned at 10:15 p.m.