



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 Bruce Flax, Councilors Dean G. Antipas, Diane Barber, Greg Grim, Rich Moravsik, Karen F. Morton, Bonnie Nault, Deb Peruzzotti, and Harry A. Watson

Tuesday, November 14, 2017

6:00 PM

Town Hall Annex - Community Room 1

REGULAR MEETING - REVISED

1. CALL TO ORDER

Mayor Flax called the meeting to order at 6:00 p.m.

2. ROLL CALL

Members Present: Mayor Flax, Councilor Barber, Councilor Grim, Councilor Antipas, Councilor Morton, Councilor Peruzzotti and Councilor Watson
Members Absent: Councilor Nault

Also present were Town Manager John Burt and Assistant to the Town Manager Nicki Bresnyan.

3. Calendar and Communications

None.

4. Approval of Minutes

2017-0276 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 24, 2017 are hereby accepted and approved.

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

The motion carried unanimously

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS

2017-0005 Pending Litigation (2017 Standing Referral)

A motion was made by Mayor Flax, seconded by Councilor Barber, that members of the Town Council Committee of the Whole, Town Manager John Burt, Police Chief Louis Fusaro, and Attorney Andrew Glass go into executive session at 6:02 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 the Porter v. Groton lawsuit.

The motion carried unanimously

Discussed

Councilor Nault arrived and joined the executive session. The executive session ended at 6:23 p.m.

Roll Call: Members Present: Mayor Flax, Councilor Barber, Councilor Grim, Councilor Antipas, Councilor Morton, Councilor Nault, Councilor Peruzzotti and Councilor Watson

A motion was made by Councilor Antipas, seconded by Councilor Peruzzotti, that the Town of Groton does hereby provide its consent to the Town's insurer, Trident Public Risk, to settle the action entitled Aisha Porter v. Richard Carleson, et al., No. 3:16-cv-01024 (VLB), as recommended by defense counsel in that action.

2017-0252

The motion carried unanimously**USS Groton Sail Update****Discussed and Recommended no action taken**

William Vogel, chairman of the USS Groton Sail Foundation Board of Directors was present to provide an update on the site selection and procurement for the USS Groton Sail. Mr. Vogel distributed a brochure showing a rendering and artist's conception of the sail to be located on property off Bridge Street adjacent to the Thames River.

Mr. Vogel provided a brief overview of the site selection process. The benefit of the chosen site is its location on the water, halfway between Electric Boat and the Submarine Base. The Foundation will be purchasing 15 Thames Street from Larry Chesler. The process has taken longer than the Foundation thought it would because there is a performance mortgage on the property associated with required environmental remediation work on 21 Thames Street, which is now in its final stages. The only remaining potential complications would be the release of the mortgage or other DEEP issues that arise.

There is a signed letter of agreement between the Foundation and Mr. Chesler. Site drawings have been prepared. The Foundation is attempting to raise \$2 million. Electric Boat has agreed to prepare the sail for mounting at the site. There is a Steering Committee headed by Marian Galbraith. The Foundation has the money to buy the land, but will need a bridge loan for site development. Significant progress has been made in the last few months.

Councilor Morton questioned the lack of community input into the process and how this site was chosen since it has limited accessibility. Mr. Vogel responded that the site will have access to a large parking lot adjacent to the site. The site selection vote was made prior to Mr. Vogel's arrival. If the site falls through, the Foundation would probably look at the Groton Public Library site.

Councilor Watson stated he was on the Site Selection Committee and this was not one of the sites recommended by the Committee. Councilor Nault objects to the way the site was selected and that there was no communication with the Town Council. Mayor Flax noted that he is on the Board, and he understands why the decision was made, but it is unfortunate that previous efforts went by the wayside. He supports the plan, but he does not like that the land was given to Mr. Chesler and he is now selling it back to the Town. In response to the Mayor, Mr. Vogel noted that there are no known environmental issues on this site, and the agreement with Mr. Chesler includes language to assure it is clean.

Councilor Grim noted the synergy of the chosen site with what is already there. In response to Councilor Grim, Mr. Vogel stated that the Foundation has raised over \$200,000; over \$100,000 is remaining in the bank, which will cover the land purchase cost. After purchase, additional fundraising will occur. The group hopes to raise half the money before public appeals are made. The desired project completion date is summer 2019.

Councilor Moravsik provided an overview of the effort to bring the sail to Groton. Mr. Vogel noted that there was a unanimous vote of the Board of Directors to purchase the Chesler site.

Councilor Antipas questioned provisions for maintenance. Mr. Vogel stated that there will be a living foundation to maintain the site. The site is approximately a half mile from the water taxi. Because of topography, the sail must be oriented as shown in the rendering.

Mayor Flax thanked Mr. Vogel for coming to the meeting.

Councilor Nault recommended that a site selection committee be established to look at the Library

site. The Mayor noted that the Board has made its decision, and Mr. Vogel reiterated that there is already an agreement with Mr. Chesler. If something happens and a different site is required, the Board would have to decide on a new site selection process.

2017-0255 Filling the Police Support Specialist Position in the Police Department

Discussed and Recommended no action taken

Police Chief L. J. Fusaro distributed staff referral memos on this item and Referral #2017-0254. Chief Fusaro noted that this position was previously approved by the Town Council, just prior to a hiring freeze being instituted. He requested permission to fill the position.

A motion was made by Councilor Antipas and seconded by Moravsik to authorize the filling of the Police Support Specialist and Patrol Officer positions in the Police Department. Chief Fusaro noted the Police Support Specialist position would be filled sometime after the first of the year. He explained the need for the position and some of the duties. Filling the position will require a recruitment process.

The motion carried unanimously.

2017-0254 Filling the Patrol Officer Position in the Police Department

Discussed and Recommended no action taken

See discussion in 11/14/17 Committee of the Whole minutes under Referral #2017-0255.

2017-0215 Police Department Mutual Aid Compact

Discussed

Councilors received a copy of the Police Department Mutual Assistance Compact. Police Chief L.J. Fusaro explained that the mutual aid provision is used often. The agreement had not been updated in a number of years so it was updated by the Town Attorney.

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

Councilor Antipas asked about the cost associated with mutual aid. Chief Fusaro explained that no money changes hands; the providing agency pays the bill.

The motion carried unanimously

2017-0246 Introduction of Ordinance Amending Various Ordinances to Increase Fines

Not Discussed

2017-0247 Resolution Setting a Public Hearing on Ordinance Amending Various Ordinances to Increase Fines

Not Discussed

2017-0248 Authorization for Animal Control Officer to Charge Certain Fees

Discussed

Police Chief L. J. Fusaro noted that fees and fines in the Police Department needed to be updated. Chief Fusaro reviewed proposed increases in the fines for animal control.

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

Councilor Watson asked about the ability to waive the fees and Chief Fusaro stated the Animal Control Officer has that flexibility.

The motion carried unanimously

2017-0249 Authorization for Police Department to Collect Fingerprints and Fees

Discussed

Police Chief L. J. Fusaro noted that this is a new fee in the amount of \$12.00 associated with

collecting fingerprints.

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

The motion carried unanimously

Councilor Watson left the meeting.

Members Present: Mayor Flax, Councilor Barber, Councilor Grim, Councilor Antipas, Councilor Morton, Councilor Nault and Councilor Peruzzotti

Members Absent: Councilor Watson

2017-0251

National Parks and Recreation Training Grant

Discussed

Town Manager Burt noted this is a request by the Senior Center to apply for an \$800.00 grant for its Fit and Strong program.

A motion was made by Councilor Nault that this matter be Recommended for a Resolution.

The motion carried unanimously

Councilor Watson returned to the meeting.

Members Present: Mayor Flax, Councilor Barber, Councilor Grim, Councilor Antipas, Councilor Morton, Councilor Nault, Councilor Peruzzotti and Councilor Watson

2016-0149

Review of Town Council Appointment Policy

Discussed

Town Manager Burt noted that this is a proposed revision to the Town Council Appointment Policy as recommended by the Personnel and Appointments Committee. Councilor Watson noted the biggest issue was the time required for unaffiliated voters to wait for appointment/ reappointment to an agency, board or commission (ABC). The revised policy includes revised applications for appointment and reappointment. The applications ask the applicant to list community organizations they belong to and provide for comments from the Chair of the ABC. The most important provision in the policy is that the Town Council can appoint anyone they want to. Councilor Antipas expressed concern with requiring people registered with a political party to go through the party committees.

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

The motion carried unanimously

2017-0263

FYE 2018 Budget Discussion

Discussed

Mayor Flax noted it has been a contentious budget year. The Town was initially looking at an \$18 million reduction. The FYE 2018 Approved Budget was based on a projected \$5 million reduction in state revenues. With the passage of the State budget, Groton has been made whole. Town Manager Burt noted that as of today, Groton's revenues will be reduced somewhat to cover half of the Renters Rebate program. Also, legislation has been passed that will allow the Town to issue supplemental bills to reduce taxes.

Councilor Antipas noted that he was struck by the cash flow analysis showing that the Town could operate until May on fund balance. Stonington has a much large fund balance than the Town. The Council was encouraged by the last Town Manager to increase the Unassigned Fund Balance, especially in light of bond ratings. Councilor Antipas distributed a memorandum proposing an increase in the Unassigned Fund Balance from 7.75% to 11%.

Town Manager Burt noted that Moody's wants to see the Unassigned Fund Balance increased significantly to something in the range of 15% or the Town may face a bond rating downgrade. Moody's does not feel that Connecticut is out of the woods yet, and they want to see the Town less

reliant on the state.

Cindy Landry, Director of Finance, noted that the adopted budget is \$118 million so the 7.75% is \$9.2 million. The Town is currently at 9% Unassigned Fund Balance (about \$10 million); 11% would increase the fund balance to about \$13 million. Groton was one of 26 communities placed on Moody's list for credit review because there was insufficient fund balance to absorb the state's cut. Moody's now wants to do a full blown credit review in December. Groton's fund balance is low compared to its peers. Any change in the Town's credit rating will affect future projects including the school project and escalate debt service. Ms. Landry noted that she could support 11% as proposed by Councilor Antipas.

Town Manager Burt noted that available state revenue is \$4.76 million, not counting the additional \$1,000,000 PILOT funds. Councilor Peruzzotti noted that revenues are enough to achieve 11%. Town Manager Burt noted that Groton Public Schools will be requesting funding, and with their designation as an Alliance District, it is unclear how much money will have to be returned to the schools. He noted there will also be a need to transfer \$250,000 from Contingency this year.

Councilor Grim expressed support for increasing the Fund Balance to support the Groton 2020 plan. Councilor Peruzzotti agreed, noting it is the smartest decision at this point and will set Groton up for the future. Councilor Moravsik suggested waiting for the Moody's review in December and letting the new Town Council decide.

Town Manager Burt noted a lack of action would result in the funds going into the General Fund anyway. His advice to the new Council is to have a goal of 15% Unassigned Fund Balance, and an increasing minimum amount heading for 15%.

Councilor Watson noted the importance of the Town's bond rating. Councilor Grim questioned how much a one mill tax refund would be to the average taxpayer. Ms. Landry stated that a ½ mill refund would equate to \$55.00 for a \$100,000 assessment. Mayor Flax advocated for a tax refund and letting the new Town Council deal with the revenue going forward. Councilor Antipas asked if a policy should be in place before the bond rating review and the Town Manager said it would be helpful. Councilor Morton feels that the single most important thing this Council can do is to put the Town in a position to weather whatever comes in the next fiscal year. The responsible thing from a fiduciary standpoint is to increase the Unassigned Fund Balance. Councilor Barber noted that she previously supported a tax refund, but now agrees with increasing the Unassigned Fund Balance.

A motion was made by Councilor Grim, seconded by Councilor Nault, that the Town shoot for a Fund Balance of 15%.

Discussion followed on whether the intent was to modify the policy or to set a goal. Discussion followed on the revenue required to achieve an 11% Unassigned Fund Balance. The motion and second were withdrawn.

A motion was made by Councilor Nault, seconded by Councilor Peruzzotti, to change the Debt Policy and Management/Fiscal Practices Unassigned Fund Balance Requirement to at least 11%.

Councilor Moravsik feels the new Council should set the policy. Discussion followed on the numbers associated with the increase. Councilor Watson agreed with making a recommendation rather than changing the policy. Councilor Barber supports only deciding what to do with the revenue now.

The motion and second were withdrawn. Ms. Landry noted that she is attempting to get more

information on the Alliance District designation and how it impacts the Minimum Budget Requirement (MBR), so the amount that needs to be returned to the Board of Education is unknown.

Town Manager Burt stated the Town Council can move to place the funding to the General Fund, without modifying the policy. Discussion followed on potential impacts on the Town's bond rating.

A motion was made by Councilor Nault to put \$3.8 million into the General Fund and increase the Unassigned Fund Balance policy rate to 10%. There was no second.

A motion was made by Councilor Moravsik to put \$3.8 million into the General Fund and leave the Unassigned Fund Balance policy rate at 7.75%. There was no second.

A motion was made by Councilor Grim and seconded by Councilor Nault to change the language in the Town's Debt Policy from 7.75% to 11% for the Unassigned General Fund Balance.

Discussion followed on the remaining funds that would be available for the Board of Education. The Town Manager stated that Dr. Graner estimates that \$1.5 million will be required to meet MBR.

A motion was made by Councilor Moravsik, seconded by Councilor Antipas, to table this item.

The motion failed 1 in favor (Councilor Moravsik), 8 opposed.

At the request of the Assistant to the Town Manager, the Committee recessed at 8:28 p.m., and returned at 8:35 p.m.

Upon the Committee's return, the motion on the table and second were withdrawn.

A motion was made by Councilor Antipas, seconded by Councilor Nault, to add the Debt Policy and Management/Fiscal Practices to the agenda.

The motion carried unanimously.

2017-0273

Debt Policy and Management/Fiscal Practices

Recommended for a Resolution

A motion was made by Councilor Grim, seconded by Councilor Barber, to change the unassigned General Fund reserve required by the Debt Policy and Management/Fiscal Practices to 11%.

Councilor Moravsik suggested leaving everything as it is until the new Council is seated.

A motion was made by Councilor Nault, seconded by Councilor Antipas, to amend the motion to a 10% reserve.

The motion to amend the motion failed 1 in favor (Nault), 8 opposed.

The motion carried by the following vote:

Votes: In Favor: 7 - Mayor Flax, Councilor Barber, Councilor Grim, Councilor Antipas, Councilor Morton, Councilor Nault and Councilor Peruzzotti
Opposed: 1 - Councilor Watson

2017-0263

FYE 2018 Budget Discussion

Recommended for a Resolution

A motion was made by Councilor Grim, seconded by Councilor Nault, to put \$5,762,000 into the General Fund.

Councilor Grim stated his intent was to direct the funds into the General Fund to make a more positive

statement to Moody's.

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 Peruzzotti, seconded by Councilor Barber, to adjourn the meeting at 8:45 p.m.

The motion carried unanimously.