



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

Tuesday, November 22, 2016

6:00 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

1. **CALL TO ORDER**

Mayor Flax called the meeting to order at 6:04 p.m.

2. **ROLL CALL**

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

Members Absent: Councilor Grim, Councilor Morton and Councilor Watson

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

3. **Calendar and Communications**

Councilor de la Cruz announced his resignation from the Town Council as a result of his recent election as Connecticut State Representative. He thanked the Council, Town Manager, and Executive Assistant for their assistance during his time on the Council, which he enjoyed very much.

Mayor Flax noted that he and Councilor Peruzzotti attended a Charter Revision Commission meeting, and he suggested that the Council try to have a representative at each meeting.

4. **Approval of Minutes - None**

5. **UNFINISHED BUSINESS**

None.

6. **NEW BUSINESS**

2016-0279

Great Blue Survey Presentation

Discussed and Recommended no action taken

Jon Reiner and Paige Bronk were present to provide a brief history of the project. One recommendation of the market survey was more research on community preferences. Great Blue conducted a scientific survey by telephone. The database will be used to analyze and back test beliefs.

Nicole Gaona of Great Blue Research reviewed a PowerPoint presentation, which was previously distributed. Ms. Gaona highlighted Great Blue's background, the project overview, key study findings, and considerations.

Staff, Ms. Gaona, and Seamus McNamus from Great Blue responded to questions and comments about the survey from Town Councilors.

2016-0280

Economic Development Update

Discussed and Recommended no action taken

Jon Reiner, Director of Planning and Development, provided a brief overview on general planning and economic development updates, similar to what they recently presented to the RTM. The Plan of Conservation and Development was adopted and effective October 1, 2016. An update of the Water Resource Protection District section of the Zoning Regulations is ongoing. A

complete draft rewrite of the Zoning Regulations is expected in the next couple of months. Staff is working on TIF and applying LEAN to the regulatory process. The department is also working with SCCOG on the Joint Land Use study of the Navy base. Other SCCOG projects are updating the Regional Plan of Conservation and Development and the Hazard Mitigation Plan. Staff is also reviewing tree cutting proposed by the Airport and finalizing steps on conversion of the Merritt property.

Paige Bronk, Manager of Economic and Community Development, noted he is working on a brochure that outlines available programs and incentives for businesses; a resource guide for business owners; an RFP for web site design and branding; public property redevelopment; an agreement with the state for funding for Mystic Education Center marketing and promotion; a City zoning regulation amendment for Groton Heights School; the Airport Development Zone application; public relations; and advertising.

Mr. Reiner provided an overview of site plan activity.

Mr. Reiner and Mr. Bronk responded to Councilors' questions and comments including a discussion on a blue trails concept being discussed at the Boating Advisory Committee.

2016-0189

Tax Increment Financing

Discussed

Jon Reiner, Director of Planning and Development, noted discussions with developers about moving forward with Tax Increment Financing (TIF) in the Town. Mr. Reiner is proposing to hire Camoin and Associates and will pay for it with \$15,000 in salary savings and by not doing other projects that were budgeted for including \$20,000 for a design study for Poquonnock Bridge and some minor projects in economic development. TIF was identified as a high priority in the market study and is desired by developers.

Mr. Reiner and Paige Bronk, Manager of Economic and Community Development, answered questions and addressed comments from Town Councilors. The Town's bond counsel was concerned that the Town would have exposure if it bonded the projects, but staff is proposing a different method where the Town's risk is zero, which satisfied bond counsel. The cost to implement the plan is \$50,000, and a big part of the project is outreach and education.

Discussion followed on the concept behind TIF.

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

The motion carried by the following vote:

Votes: In Favor: 4 - Mayor Flax, Councilor Barber, Councilor Nault and Councilor Peruzzotti
Opposed: 1 - Councilor Antipas

2016-0276

Appointment of Town Auditor

Discussed

Cindy Landry, Director of Finance, explained that the Town is required to appoint an independent auditor to audit the Town's records each year. Blum Shapiro has been engaged by the Town since 2005. The firm is currently finalizing the FYE 2016 audit at which time their contract will expire. The Town Council can direct staff to re-contract with Blum Shapiro or go out with a Request for Proposals. Ms. Landry stated she is very happy with Blum Shapiro and they understand the oddities of Groton. She reviewed Blum Shapiro's pricing for three years (\$83,900; \$84,500, and \$84,900), which is partially paid by the Board of Education and other funds. Discussion followed on putting the contract out to bid versus retaining Blum Shapiro again.

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

(Note: While it was announced at the meeting that the vote had failed because 5 affirmative votes

were required, a subsequent review of the Town Council rules confirmed that the original motion was approved by a valid majority.)

A motion was made by Councilor Nault, seconded by Councilor de la Cruz, to reconsider the motion.

The motion carried by the following vote:

In favor: 5 - Mayor Flax, Councilors Antipas, de la Cruz, Nault, Peruzzotti

Opposed: 1 - Councilor Barber

A motion was made by Councilor Flax, seconded by Councilor Peruzzotti, that this item be Recommended for Resolution.

The motion carried by the following vote:

In favor: 5 - Mayor Flax, Councilors Antipas, de la Cruz, Nault, Peruzzotti

Opposed: 1 - Councilor Barber

The Council asked for information on which auditors that may respond to an RFP and information on what other municipalities pay for their audits.

The Committee recessed for five minutes.

The motion carried by the following vote:

Votes: In Favor: 3 - Mayor Flax, Councilor Antipas and Councilor Peruzzotti

Opposed: 2 - Councilor Barber and Councilor Nault

2009-0124

Ethics Ordinance

Recommended for a Resolution

Town Manager Oefinger provided a brief history of the ethics ordinance. Councilors received the most recent draft, along with comments from Town Attorney Mike Carey and a memo from Mr. Carey with his thoughts on the code. Mr. Carey noted it is striking how many ethics provisions already exist in the charter, personnel rules, etc. He explained that there are two types of ethics codes - general pronouncements and a long list of definitions of ethical and unethical conduct, which is what the Task Force proposed. The type of code is a policy question for the Town Council. Mr. Carey believes that the Charter provision stating that the Town Council shall enact a code of ethics is intended to be mandatory, but there is no penalty.

Mr. Carey reviewed his thoughts and observations about municipal ethics codes. The draft document is legally satisfactory and his comments are meant for additional clarity. He suggested that the current Charter Revision Commission may want to repeal the mandate and noted there can be unintended consequences that result from an ethics code.

Mayor Flax noted that draft code is a very thorough document, but it may not be what the Town needs. He suggested setting up an Ethics Commission and having it develop the code.

Councilor Antipas provided a history of the development of the code, which was originally proposed to preempt the possibility that the state would impose a code adopted by the state. He expressed concern that some people are looking for a code to complain about issues that are not about unethical behavior.

Attorney Carey noted that neither he nor Attorney Duggan is aware of any incidents since they have represented the Town that would be in violation of this code. Any issues were dealt with through the discipline process.

Council's previous action to introduce an ethics ordinance and to delete this referral.

The motion carried by the following vote:

Votes: In Favor: 4 - Mayor Flax, Councilor Barber, Councilor Nault and Councilor Peruzzotti
Opposed: 1 - Councilor Antipas

2016-0281 Adoption of 2017 Town Council Regular Meeting Schedule

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

Discussion followed on the draft schedules and the Council decided to eliminate the July 3rd Town Council and Personnel and Appointments Committee meetings and to change the Personnel and Appointments Committee meeting time to 6:30 p.m.

The motion carried unanimously

2016-0282 Adoption of 2017 Committee of the Whole Regular Meeting Schedule

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

The motion carried unanimously

2016-0283 Adoption of 2017 Personnel and Appointments Committee Regular Meeting Schedule

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

The motion carried unanimously

2016-0239 DEEP/GOSA Tilcon Property Purchase

Discussed

Mayor Flax explained that the purpose of having this item on the agenda is to discuss the purchase of the Tilcon property by DEEP and GOSA despite the Town Council not supporting the acquisition. The state will be using taxpayer funds, supplemented by GOSA, to purchase the property and the Mayor would like to reach out to DEEP to find out why they are pursuing the purchase.

Jon Reiner, Director of Planning and Development, noted that the Tilcon parcel was one of the properties offered to DEEP in exchange for the Merritt property and DEEP never mentioned that they had a purchase and sale agreement in place. Staff has expressed to DEEP that the Town would like to have a seat at the table to discuss the future of the Tilcon property.

Town Manager Oefinger noted that former Councilors possibly had a different opinion about this property from an economic development standpoint, and they were concerned with taking it off the tax rolls

Discussion followed on the value of the property and the impact of the state's action on the Town, and what the Town's approach should be going forward.

The Town Manager suggested that if the Council's issue is with how the situation was handled, then the Town Council should ask to meet with DEEP at a Council meeting or in Hartford.

A motion was made by Mayor Flax, seconded by Councilor Antipas, to request that representatives of DEEP meet with the Town Council to discuss the DEEP/GOSA purchase of the Tilcon property.

The motion carried unanimously

2016-0260 FYE 2018 Budget Discussion

Not Discussed

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

Recommended for Deletion:

- 2015-0217 **Subase Centennial Anniversary**
Recommended for Deletion
- 2016-0041 **Sub Century Events**
Recommended for Deletion
- 2016-0180 **Groton Long Point Road Ownership Issue**
Recommended for Deletion

8. OTHER BUSINESS

Mayor Flax requested that a letter of congratulations from the Town Council be sent to Town Attorney Eileen Duggan recognizing her election as a shareholder in Suisman Shapiro.

9. ADJOURNMENT

A motion was made by Councilor Peruzzotti, seconded by Councilor Barber, to adjourn the meeting at 9:30 p.m.

The motion carried unanimously.