



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, December 8, 2009

7:00 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

1. **CALL TO ORDER**

Mayor Streeter called the meeting to order at 7:01 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, Assistant to the Town Manager Lee Vincent and Executive Assistant Nicki Bresnyan.

3. **Calendar and Communications**

None.

4. **Approval of Minutes**

2009-0299 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 November 10, 2009 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 - Councilor Flax, Councilor Johnson, Councilor Kolnaski, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Peruzzotti, Councilor Sheets and Councilor Watson
Abstain: 1 - Mayor Streeter

5. **UNFINISHED BUSINESS**

None.

6. **NEW BUSINESS**

2009-0161 SEA-CMEEC Proposed Electric Generating Facilities

Discussed

Town Manager Oefinger gave a brief history and update on the lease negotiations with SEA-CMEEC for placement of an electric generating facility off Gary Court. The lease is essentially complete and ready for action.

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

The motion carried unanimously

2009-0231 South Road Underpass Flooding

Discussed

Town Manager Oefinger noted that the Council was previously briefed on an engineering report that was prepared a number of years ago with respect to this issue. Solutions proved to be too

costly. Staff has outlined a number of temporary signing alternatives. The Town Manager emphasized that this is not a Town road, and therefore the Town should attempt to engage the State Department of Transportation on this issue. Discussion followed on automatic signage utilizing a sensor that would replace the manual signs warning of flooding. The Town Manager suggested that this issue be raised with state legislators.

Councilor Monteiro expressed concern that the Town is receiving claims for damage. The Town Manager explained that the Town has been named in lawsuits despite it being a state road. Before any signage can be installed, the Town must have state and Amtrak approval. Councilor Kolnaski suggested creating an area to facilitate turnarounds if the underpass is flooded. The Town Manager feels the solution is to place warning signs at Route 1 and Thomas and High Rock Roads so that motorists know about the flooding before they reach the underpass, and ideally, to barricade the underpass.

Councilor Watson noted his concern that the existing signage is not accurately reflecting conditions and it should be upgraded to electronic signage. Councilor Sheets suggested since there is no flooding when the pumps are working, then the state should invest in new, upgraded pumps with a backup generator, routine maintenance, and periodic testing. Councilor Flax agreed with the suggestion that the pumps be upgraded. Councilor O'Beirne suggested that a depth marker be added so that people will see how deep the water is. Councilor Peruzzotti asked if the Town's investment to fix the situation would be reimbursed by the state, and the Town Manager indicated that would not be likely. Mayor Streeter also discussed with staff the placement of physical barriers. The Town Manager will develop a suggestion to bring to the Council for consideration.

The Committee of the Whole recessed at 7:28 p.m. for the special meeting of the Town Council. The meeting reconvened at 7:32 p.m.

2009-0282**Supplemental Appropriation for Handicap Ramp at Spicer House****Discussed**

The Town Manager explained that the chair lift at Spicer House has been a problem from a location and operational standpoint. Funds were previously approved to replace the lift, but upon further review, staff looked into constructing a handicap ramp at the front door instead. A supplemental appropriation is required to construct the ramp. The Town Manager noted that a supplemental appropriation would also be required to replace the chair lift. Councilor Monteiro expressed concern with the expense. Councilor Sheets expressed concern for the addition of the ramp to the historic structure. Discussion followed on ways to reduce the cost of the project including contracting with the City of Groton for concrete work.

2009-0308**Energy Efficiency and Conservation Block Grant DOE Response****Discussed**

In discussions with the Department of Energy (DOE), the Town Manager was informed that DOE does not want to fund the Town's proposal to develop a strategic plan, but instead, they prefer to fund actual projects. The Town will be amending its application. The Town Manager reviewed the proposed modifications and suggested projects. The Town Manager was previously authorized by the Council to submit the grant application, but not all of the details were available which is why this modification is being brought back to the Council. Councilor Sheets noted that some of the proposed lighting improvements will result in rebates from Groton Utilities. The Town Manager explained that the desire of the Task Force is that if there are savings accrued over time, they will be put in a separate account to do other projects. Councilor Sheets noted this modification was reviewed by the Task Force and unanimously approved.

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

The motion carried unanimously

2009-0256 Town Clerk Salary Range**Discussed**

Town Manager Oefinger provided a brief history of this issue and an overview of the information provided to the Town Council. The Council also received a packet of information from future Town Clerk Betsy Moukawsher. Councilor Watson supports establishing a salary range, but he noted that compensation is set by the Council on a yearly basis. Councilor Monteiro noted that the salary range is for the initial term and compensation can be set within the range. The salary ranges increase every year so the upper limit is not a cap. The Town Manager noted there are two issues - placing a value on the position and evaluating the person in the position to determine the compensation. Salary ranges in the non-union pay plan have built in 3% annual increases, but the range would have to be reevaluated in two years when the non-union pay plan expires.

A motion was made by Councilor Kolnaski, seconded by Councilor Flax, to establish a salary range for the Town Clerk of \$68,842 to \$81,955.

Councilor O'Beirne objected to setting a salary range and including the position in the Non-Union Terms and Conditions because this is an elected position different from all other Town employees. He would prefer to set a salary and establish the terms and condition of employment separate from the Non-Union Terms and Conditions. It was clarified that the motion was for a salary range only, and not inclusion of the position in the Non-Union Terms and Conditions. Councilor Sheets and Councilor Monteiro agreed with Councilor O'Beirne's concerns. Councilor Watson asked for a referral on Town Clerk compensation if the motion passes. Mayor Streeter feels that the terms and conditions should be discussed and established such as hours of work etc. Councilor Flax supported having a discussion with Ms. Moukawsher about her qualifications before setting the salary.

The motion failed by the following vote:

Votes: In Favor: 2 - Mayor Streeter and Councilor Kolnaski
Opposed: 7 - Councilor Flax, Councilor Johnson, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Peruzzotti, Councilor Sheets and Councilor Watson

Discussed

Mayor Streeter expressed support for moving forward and setting the salary. Councilor Monteiro suggested it would be appropriate to have a discussion with Ms. Moukawsher. Mayor Streeter asked if the discussion should be done in executive session. The Town Manager suggested that the Town Attorney be consulted. Councilor Watson stated that the person whose salary is being discussed has the option whether or not to discuss the issue in executive session.

Ms. Moukawsher indicated she would like to have a private discussion in executive session.

A motion was made by Councilor Peruzzotti, seconded by Councilor Kolnaski, to enter executive session at 8:23 p.m. and to invite Betsy Moukawsher to attend.

The motion carried by the following vote:

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

Recommended for a Resolution

The executive session concluded at 8:37 p.m.

A motion was made by Councilor O'Beirne, Jr., seconded by Councilor Monteiro, to approve an annual salary of \$69,000 for the Town Clerk position starting January 4, 2010.

The motion carried unanimously

2009-0280 No-Freeze Homeless Shelter Initiative**Recommended for a Resolution**

The Town received a letter from the New London Homeless Hospitality Center requesting additional funding for emergency temporary shelters for the homeless. Their desire is to raise

\$23,500.

A motion was made by Councilor Kolnaski, seconded by Councilor Sheets, to make an additional donation to the New London Homeless Hospitality Center in the amount of \$3,000 for the No-Freeze Homeless Initiative.

The motion carried unanimously

2009-0294 Local Prevention Council Grant Program

Discussed

The Town Manager noted that when Ledge Light Health District seeks grant funds that other Town agencies may be eligible for or interest in, the Town Council should be aware of their action. In this case, the GASP Coalition works closely with other Town agencies and it has been decided that GASP is the most appropriate recipient of the grant.

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

The motion carried unanimously

2009-0297 Acceptance of Open Space in the Mystic Ice House Subdivision

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

The motion carried unanimously

2009-0298 Acceptance of Ice House Lane

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

The motion carried unanimously

2009-0009 Legislative Policy (2009 Standing Referral)

Discussed

Town Manager Oefinger noted it is time to set up a meeting with local legislators and to consider what items to discuss with them. The Council asked for a meeting around the second week of January. The Town Manager solicited topics for discussion in addition to South Road flooding. The Council should be laying out a legislative "wish list."

2009-0306 Appointment of a Code of Ethics Task Force

Discussed

Councilor Watson noted this proposal is to rename the Ethics Subcommittee and allow former Town Councilor Dean Antipas to continue to chair the group. Councilor O'Beirne questioned a time frame for receipt of a report from the Task Force. The Council established a target date of the end of February. Councilor Sheets feels the Task Force could report at that time, but they still have a lot of work to do.

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

The motion carried unanimously

2009-0302 Appointment of Town Attorney

Discussed

Under the new charter, the Council has 120 days from the election to appoint the Town Attorney. The Town Manager asked the Council how they would like to proceed with selecting the Town Attorney. The Current Town Attorney has served the Town for a number of years. The Town Manager spoke to Attorney Eileen Duggan and her firm would like to continue to represent the Town. She also expressed her willingness to meet with the Council. The Town Manager noted that a full blown solicitation can be done, but it will take a significant amount of time and effort. Councilor Peruzzotti asked if there is any reason to consider changing firms. The Town Manager

expressed support for the expertise and service provided by the current Town Attorney. Councilor Sheets expressed concern that the Town Attorney was not able to address the Library Street building issue in a timelier manner. She suggested that the Council should have higher standards for the Town Attorney's performance. Councilor Monteiro expressed support for the current Town Attorney and disagreed with Councilor Sheets that the delay had anything to do with the Town Attorney. She added that unless the Council is dissatisfied, it should not undertake the long, drawn out process to look for another firm. Councilor Watson also expressed support for the current Town Attorney and noted the need to appoint other attorneys. Councilor Johnson stated he is familiar with the current firm and comfortable with them. The current Town Attorney has indicated they will continue to serve the Town under the same terms.

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

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 Peruzzotti and Councilor Watson
Opposed: 1 - Councilor Sheets

2009-0303 Appointment of Other Attorneys

Discussed

The Town Attorney will be asked to identify other attorneys and address the Council on the issue if necessary.

2009-0304 Adoption of Rules for Twenty-Seventh Town Council

Discussed

A Temporary Rules Committee has been established and any suggestions should be forwarded to the Committee.

2009-0305 Council Goalsetting

Discussed

Councilor Monteiro noted how long it took in the past to establish goals, and it is unknown if any of them were accomplished except for the generic ones. She suggested any goals be ones that the Council actually works toward achieving. Councilor O'Beirne feels the benefit of goalsetting is the process of discussing various viewpoints, regardless of the outcome. Mayor Streeter and Councilors Sheets and Watson agreed that the discussion is important. A goalsetting workshop was scheduled for Saturday, February 6th at 9:00 a.m.

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

None.

8. OTHER BUSINESS

Mayor Streeter raised the issue of cancelling the December 22nd Group and Committee of the Whole meetings, and cancelling the January 5th Town Council meeting. In addition, there is a joint meeting with Groton Long Point scheduled for Wednesday, January 6th in Groton Long Point. Discussion followed and the consensus of the Council was to cancel the December 22nd and January 5th meetings, and have the joint meeting with Groton Long Point on January 6th.

Councilor Sheets noted that there is an 8:30 a.m. DEP/ICLEI workshop tomorrow that will be televised for the public.

9. ADJOURNMENT

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

The motion carried unanimously.