



# 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 Harry A. Watson, Councilors Heather Sherman Bond, Kathryn M. Brown-Tracy, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, Paulann H. Sheets, and James L. Streeter*

Tuesday, December 11, 2007

7:00 PM

Town Hall Annex - Community Room 1

#### REGULAR MEETING - REVISED

#### 1. CALL TO ORDER

*Mayor Watson called the meeting to order at 7:07 p.m.*

#### 2. ROLL CALL

Members Present: Mayor Watson, Councilor Bond, Councilor Brown-Tracy, Councilor Kolnaski, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Schmidt, Councilor Sheets and Councilor Streeter

*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

*None.*

#### 5. UNFINISHED BUSINESS

*None.*

#### 6. NEW BUSINESS

##### 2007-0291 Appointment of Other Attorneys

**Discussed**

*Attorney Eileen Duggan thanked the Town Council for reappointing her the Town Attorney. She reviewed the list of attorneys who perform specialized services for the Town including the Board of Education's attorneys (who continue to have the support of Dr. Mitchell and Board of Education Chairman Beverly Washington), the bond attorney and his associates, a backup attorney in case there is a conflict, and an environmental law attorney.*

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

**The motion carried unanimously**

##### 2007-0292 Policy Supporting Nondiscrimination Agreements and Warranties

**Discussed**

*Town Manager Oefinger explained that this resolution, although required for all state grants, needs to be approved only once. There is a question as to whether or not this requirement applies to municipalities. Town Attorney Eileen Duggan noted the two statute amendments which include provisions regarding civil unions and FMLA, and the confusing language in the statute as to whether or not the Town is obligated to sign off on this agreement. She noted that signing the agreement would not create a tremendous burden for the Town. Ms. Duggan noted that she is not comfortable at this point advising the Council if the statute applies to the Town. She is currently in discussions with a Commission on Human Rights and Opportunities (CHRO) representative to seek clarification of the statute. Town Manager Oefinger noted that one approach may be to ask for a waiver, which a number of other communities have done. Further discussion of this item was*

tabled until Attorney Duggan is able to provide an opinion.

2007-0295

**Contract Agreement Between the Groton Board of Education and the Association of Groton School Administrators**

**Discussed and Recommended no action taken**

Archie Swindell of the Board of Education introduced Attorney Floyd Dugas, negotiator for contracts. Mr. Dugas reviewed the major terms and conditions of the settlement agreement. This is a four year agreement with a wage component of 3.3% in the first, second, and third years, and 3.4% in the last year. The increases are based on CPI trending and where administrator salaries ended up last year in other negotiated contracts. Health insurance contributions will go up to 16% in the first year, 17% in the second year, and 18% in the third year, which is above the curve for administrators. The contract also adjusts contributions for office visits and prescriptions. Administrators have been asked to work an additional day in the first year, and an additional day in the last year. Longevity payments are being phased out for new hires. Retiree health insurance is an expensive benefit. With this contract, health insurance coverage will continue for six months after retirement with a 40% contribution. The contract also allows employees to place their severance benefit in an account that can be used to purchase retiree health insurance. Language in the contract has been changed to reconfigure the process for layoffs, school closings, and elimination of positions. The cap on reimbursement for graduate study has been increased and a provision has been added for impact discussions. A final highlight deals with a change in security set up.

Councilor O'Beirne asked if consideration is given to the starting point of the salaries when negotiating the wage increases, especially when Groton is at the top of the scale in its reference group. Mr. Dugas noted that prior to negotiations, numerous contracts are reviewed relative to Groton.

Councilor Sheets asked if the Board would consider modifying the contract to introduce language regarding civil unions with respect to religious observance and emergency leave, other leave, and marriage leave.

Mr. Dugas explained a District Reference Group (DRG), but he could not recall what communities are in Groton's DRG.

Councilor O'Beirne stated he is disturbed by the provision that starting salaries for new hires can be at most 10% less than someone in a comparable position, regardless of experience, and must be increased to a comparable level within three years. Councilor O'Beirne suggested that there is no way that a salary for a given position can ever be lowered. Mr. Dugas explained that a judgment call was made that in three years, an individual who typically has 20+ years experience should be performing at the same level as other people in the same position. He added that it is very difficult to find good administrators and as a practical matter, the 10% salary difference should be made up as soon as possible.

Mr. Dugas explained that under State Statutes, if the Town Council fails to reject the agreement within 30 days, it becomes binding.

Councilor Bond noted that the Council does not have many options since the contract has already been negotiated. She expressed concern with "professionals" being locked into increases every year. She cited specific salaries and days of work for some of the positions covered by the contract.

Councilor Monteiro asked what would happen if the contract were rejected. Mr. Dugas explained that the contract would go to binding interest arbitration with a panel of three arbitrators. The arbitrators must pick one or the other of the last best offer from each side, not something in the middle. In Mr. Dugas' opinion, the Board would not do substantially better in arbitration and the

cost would be approximately \$10,000.

A motion was made by Councilor O'Beirne, seconded by Councilor Schmidt, to reject the agreement between the Groton Board of Education and the Association of Groton School Administrators.

The motion failed by the following vote:

In favor: 4 - Councilor Bond, Councilor Brown-Tracy, Councilor O'Beirne, Councilor Schmidt  
Opposed: 4 - Councilor Kolnaski, Councilor Monteiro, Councilor Streeter, Mayor Watson  
Abstained: 1 - Councilor Sheets

**2007-0072 Citizen Committee on Property Tax Relief - Update**

**Discussed**

Councilor Bond noted that she has been too busy to work on this item, and she asked if this could be postponed until after the holidays. The Committee concurred.

**2007-0166 Request for Financial Incentive - Groton Hospitality, LLC**

**Recommended for a Resolution**

Town Manager Oefinger provided a brief history of this referral. Discussion followed on the timing of the request and the guidelines in the policy. The Town Manager feels the project is worthy of consideration. He encouraged the Council to consider that this is a short term "loss" on a project that will generate tax revenue for many years. It was noted that this is only the third request received under the financial incentive policy.

Councilor Monteiro agreed that the policy is not very clear with respect to the Council's goal or original intent, but noted there is nothing in the policy that prohibits the Town Council from giving an incentive to a project under construction. She feels the goodwill that would be generated with a one-year abatement is priceless.

Councilor Bond asked for a referral to the Committee of the Whole on the incentive policy. She noted that businesses "shop" towns and they want to know what a town is offering upfront. The developer is building a nice hotel at a gateway to Groton. The Town is currently receiving \$11,000 in taxes and will receive \$158,000 in additional revenue. The Town is not "losing" any money. Even with the incentive, the development will add to the grand list. Councilor Bond asked if someone could speak to the Council about how economic incentives work and how they benefit the Town.

Councilor Kolnaski noted that the Town Manager, staff, and the Economic Development Commission support this request. It will not disturb the environment and it will encourage a good relationship with the business community.

Councilor Streeter was originally concerned with the timing of the request, however it is clear that the developer was aware of Groton's policy before he started construction regardless of when the request came in. He agreed that the Council needs to review the policy and noted that the goal is for the Town to attract businesses.

Councilor O'Beirne stated he is flat out opposed to this request because it is not in accordance with the incentive policy. The policy is designed to attract preferred businesses, not businesses that are already here.

Councilor Sheets agreed that this is not an "incentive". Abating the taxes is a form of gratitude that the business is here. She asked if the Council has the authority to enact an abatement that is not pursuant to this policy.

*Councilor Schmidt noted that she too was concerned with the timing of the letter since the structure was already there; however, she has been contacted by many people who are pleased with the structure and feel it is an enhancement to the Town.*

*Councilor Brown-Tracy stated she cannot support the request.*

*Councilor Bond noted that homeowners are not employers and they are not taxed on their personal property like a business is. The hotel will have a conference center, which will attract visitors who will spend money in the area.*

*Mayor Watson expressed support for the request.*

*Town Manager Oefinger stated he does not know the answer to Councilor Sheets' question. If the Council is going to take action, he suggested that it is always better to have a policy in place.*

*Councilor Monteiro noted that Schochet Associates was already here and they were granted an abatement under this policy.*

**A motion was made by Councilor Kolnaski, seconded by Councilor Schmidt, to recommend a resolution granting a one year abatement of \$61,125 under the incentive policy.**

**Councilor O'Beirne asked Councilors to remember this abatement during budget deliberations. Mayor Watson noted that the Town wants to be a business-friendly community. Councilor Sheets suggested that if the developer had gone about the process in the correct way, he may have received a larger abatement.**

**The motion carried by the following vote:**

**Votes:** In Favor: 7 - Mayor Watson, Councilor Bond, Councilor Kolnaski, Councilor Monteiro, Councilor Schmidt, Councilor Sheets and Councilor Streeter  
Opposed: 2 - Councilor Brown-Tracy and Councilor O'Beirne, Jr.

**2003-0177**

**Renovations & Additions to Groton School Facilities - Phase I**

**Discussed**

*Director of Public Works Gary Schneider and Project Manager for Schools Rick Norris were present to update the Council on the school buildings, technology, and water issues at Northeast Academy. Mr. Norris noted that the two elementary schools will open on time. Currently the team is working to obtain Certificates of Occupancy. At Catherine Kolnaski, workers are finishing up glass installation. Commissioning is being conducted in both buildings. The team is working with the Board of Education to bring materials and supplies into the buildings in preparation for bringing the teachers in next week to put items away.*

*The high school project is progressing rapidly and is on schedule. Flooring and ceiling tiles are being installed in the lower floors. Glass installation is also moving along. Training/familiarization sessions for staff are occurring on a daily basis.*

*Mr. Schneider addressed furniture, fixtures and equipment (FF&E). All furniture and office equipment has been delivered and will be installed by the end of the week at Northeast Academy. At Catherine Kolnaski, the last pieces of furniture are being ordered. \$48,000 in equipment was delayed until the window issue was resolved. A few minor items may not be in place by opening, but they will be installed soon thereafter, with the work occurring after hours.*

*With regard to technology, staff has had numerous meetings on the subject. The bids received in July were way over bid. The second round of bids have also caused some difficulties because of overlapping bids and the need to assure that the equipment bid matches the specifications. At this point, it has been decided that there will be minimum connectivity for both elementary schools (i.e.*

internet access and the ability to correspond with the Administration Building). Laptops will be available for the students. The classroom equipment (projectors) will not be available prior to opening. There will be six classrooms at Catherine Kolnaski and three at Northeast Academy with voice amplification because it is too costly to do all of the rooms. Staff has received technology bids for the high school and is evaluating them now. The high school should be fully outfitted with technology by opening.

Town Manager Oefinger noted there has been a series of discussions with the Fire Marshal regarding fire protection for Northeast Academy. The building meets all codes, but there is an underlying issue of water supply. The team is currently finalizing what it known as the "temporary temporary" plan for fire protection, which identifies where water will come from if the sprinklers fail to suppress a fire. A caravan of fire trucks will dump water into portable pools that will be set up by the fire department. The goal is to achieve 1,100 gallons of water per minute for 3½ hours. The next level of plan is the "temporary permanent" plan, which involves installation of 350' of plastic pipe in the ground in place of a portion of the 5" water hose typically rolled out by the fire department. The final plan is to identify a permanent solution for the water supply issues affecting the northeast area of Town.

The Town Manager requested a referral to establish a Mystic water task force to look at the water pressure issues in the northeast area of Town. The fire department's policies regarding water supply are not a school issue, but are the result of lessons learned at the Ted's Sales Room fire where it was apparent that the existing water tower infrastructure and supply were not sufficient. Ultimately, the area needs an interconnection between Aquarion and Groton Utilities. The Mayor made the referral to the Committee of the Whole.

In response to a Councilor, Town Manager Oefinger noted this is not a new issue or a surprise. Discussions have been ongoing and improvements have been made throughout the project to address water issues.

Mr. Norris noted that as a result of the Ted's Sales Room fire, the Old Mystic Fire Department started to reevaluate their policies. Mr. Schneider noted that the building meets all NFPA codes. All team members have been working toward a common goal, but it is all coming together now that the water lines are in place, and pressure and flow testing are occurring. There are no water supply issues at Catherine Kolnaski or the high school.

Councilor Sheets noted the referral she requested for information on the schools to be posted on the Board of Education and Town of Groton web sites. It was noted that a separate referral was established and would be discussed at another time.

**2007-0293 Groton Utilities Easement - Catherine Kolnaski School**

**Discussed**

Town Manager Oefinger noted this is similar to the easement granted to Aquarion Water Company for Northeast Academy.

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

**The motion carried unanimously**

**2006-0223 Town Council E-Mail Accounts**

**Discussed**

Councilor Sheets feels the Town needs a written clear cut policy on e-mail communication. Councilor Kolnaski feels it should be addressed by the Rules Committee, and any communications should be brought forth to the whole Council and the public. Staff was asked to approach CCM on what other towns are doing.

**2006-0317 Impact of State Campaign Finance Law on Groton**

Recommended for Deletion

2007-0117 **Tax Impact on Non-Residential Property**

Recommended for Deletion

2007-0141 **Impact of Revaluation Phase-In**

Recommended for Deletion

2007-0017 **Re-establishment of Tolls on Connecticut Interstate Highways**

Recommended for Deletion

2007-0198 **Town-Wide Property Maintenance Code**

Discussed

*The consensus of the Committee was to leave this item on the referral list.*

2007-0211 **Panhandling Ordinance**

Recommended for Deletion

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

*None*

8. **OTHER BUSINESS**

2007-0294 **Summaries of School Projects Information**

SUMMARIES OF SCHOOL PROJECTS INFORMATION

Discussed

*Sheets reiterated her request for information on the school projects. Councilor Schmidt expressed support for the request. Councilor Bond supports the concept, but she asked for clarification on what information is being requested. Councilor Streeter feels there must be agreement on what information is presented. The Town Manager noted that staff concentrating all its efforts on opening the schools. Vast amounts of information have been distributed, including monthly updates to the Council and RTM, which are also posted on the web sites. He encouraged Councilors to look at the web site. Councilor Sheets stated it is too much information on a monthly basis. She suggested that the public have access to quantitative statements using bar graphs, for example, showing what was planned and what has been achieved. Councilor O'Beirne suggested that Councilor Sheets create a fill in the blank template for staff to use.*

9. **ADJOURNMENT**

*A motion was made by Councilor Kolnaski, seconded by Councilor O'Beirne, to adjourn the meeting at 9:25 p.m.*

*The motion carried unanimously.*