



Town of Groton, Connecticut

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

Meeting Minutes

Representative Town Meeting

Moderator Jean-Claude Ambroise, Representatives Karin Adams, Scott W. Aument, Sr., Joseph Baril, Nancy E. Barnhart, Alicia Bauer, Genevieve Cerf, Susan Chase-Hildebrand, Michael Collins, Christine Conley, Susan Deane-Shinbrot, Luanne E. DeMatto, Nancy Driscoll, Dave Ferreira, Neal Gardner, Patrice Granatosky, Dolores Harrell, Karen Hatcher, Keith L. Hedrick, Conrad F. Heede, Lynn Crockett Hubbard, Michael Dean Johnson, Rosanne E. Kotowski, Jim Loughlin, Elizabeth Luck, Jackie Massett, Bruce A. McDermott, Roscoe Merritt, Scott Newsome, Richard J. Pasqualini, Jr., Betty A. Prochaska, Pam Ryley, Jack Sebastian, Dana S. Semeraro, Richard Semeraro, Joan Steinfeld, Irma Streeter, Mark Svencer, Archie C. Swindell, Lori A. Watrous and Ivy R. Williams

Wednesday, June 13, 2012

7:30 PM

Groton Senior Center

Regular Meeting

A. ROLL CALL

Moderator Jean-Claude Ambroise called the meeting to order at 7:33 p.m.

33 members were present, and a quorum was declared.

The Moderator reported that Reps. Chase-Hildebrand, Hatcher, Sebastian, and D. Semeraro notified the Town Clerk of their absence.

Members Present: Moderator Ambroise, Rep. Adams, Rep. Aument, Rep. Baril, Rep. Barnhart, Rep. Cerf, Rep. Collins, Rep. Conley, Rep. Deane-Shinbrot, Rep. DeMatto, Rep. Driscoll, Rep. Ferreira, Rep. Gardner, Rep. Granatosky, Rep. Harrell, Rep. Hedrick, Rep. Heede, Rep. Hubbard, Rep. Johnson, Rep. Kotowski, Rep. Loughlin, Rep. Massett, Rep. McDermott, Rep. Pasqualini Jr., Rep. Prochaska, Rep. Ryley, Rep. R. Semeraro, Rep. Steinfeld, Rep. Streeter, Rep. Svencer, Rep. Swindell, Rep. Watrous and Rep. Williams
Members Absent: Rep. Bauer, Rep. Chase-Hildebrand, Rep. Hatcher, Rep. Luck, Rep. Merritt, Rep. Newsome, Rep. D. Semeraro and Rep. Sebastian

Also present were Town Manager Mark Oefinger, Town Clerk Betsy Moukawsher and Assistant Town Clerk Sally Whitney.

B. MOMENT OF SILENCE AND SALUTE TO THE FLAG

The members observed a moment of silence followed by the Salute to the Flag led by Rep. Granatosky.

C. APPROVAL OF MINUTES

1. Regular Meeting May 9, 2012

A motion that the minutes be approved was made by Rep. Hedrick, seconded by Rep. Massett.

The vote to approve the minutes carried 31 in favor, 2 abstentions. (Abstaining: Reps. Aument and Harrell.)

2. Annual Budget Meeting April-May 2012

A motion that the minutes be approved was made by Rep. Johnson, seconded by Rep. Svencer.

The vote to approve the minutes carried 32 in favor, 1 abstention. (Abstaining: Rep. Harrell.)

D. CITIZENS' PETITIONS

Andrew Lavery, 210 Poquonnock Road, introduced himself as the Republican candidate for State Representative running for election in November. He spoke about what he hopes to accomplish if he is elected.

Rep. Granatosky raised concern about candidates using Citizens' Petitions as a political platform to address the RTM.

Moderator Ambroise stated that Mr. Lavery is a resident of Groton who may be representing Groton taxpayers if elected and that it is appropriate for him to speak under the Citizens' Petitions section of the agenda.

E. RECEPTION OF COMMUNICATIONS

Moderator Ambroise announced that Conrad Heede was elected by a District Five caucus held prior to this meeting to replace Constance Miller who resigned on June 1. Richard Semeraro was elected from District Seven to replace Jonathan Heller who resigned May 17th.

2012-0048 Purchase of Spicer Properties, Thomas Road

This matter was Referred to the RTM Community Development & Services Committee, due back on July 11, 2012.

2012-0049 Purchase of Fusconi Property, Crystal Lake Road

This matter was Referred to the RTM Public Works Committee, due back on July 11, 2012.

The Moderator announced the following liaison appointments:

Rep. Cerf was appointed to the 2012 Plan of Conservation and Development and Municipal Coastal Program (POCD/MCP) Steering Committee.

Rep. Massett was appointed to the Town Council/BOE/RTM/City Council Committee.

Rep. Deane-Shinbrot was appointed as liaison to the School Planning Task Force.

Rep. DeMatto notified the Moderator that she may have to resign as the liaison to the Economic Development Commission due to a conflict with the Commission's meeting schedule.

The Moderator informed members that a quorum must be present at any RTM meeting or committee meeting for action to be taken on any business. He reminded members to notify the Town Clerk's office if they are unable to attend.

F. REPORT OF THE TOWN MANAGER

1. Financial report

Mr. Oefinger reported that the Fund Balance as of June 30, 2011 is approximately \$10.1 million; the General Contingency balance is \$150,000. He noted that if the fourth quarter transfer of \$23,000 for Voter Registration is approved, the balance remaining will be \$127,000; the Capital Reserve balance is \$537,958.

2. Monthly briefing

The Town Manager highlighted various items from the Town Manager's News.

In response to members' inquiries, the Town Manager reported on the Town Council's approval of funds for transportation of sailors to a picnic at the Shennecossett Yacht Club in connection with OpSail; the memo of understanding for public access TV; the interconnection of the Aquarion and Groton Utilities water systems on Route 1; the Mystic Streetscape construction project; the Town Council's plan to fund additional parking in Mystic while the paving is being completed through an agreement with the Mystic Art Center; and the purchase agreement for the Spicer property.

Questions were raised about use of encumbered funds after the Town Manager noted that the Town Council has approved the use of such funds in connection with OpSail as noted above as well as for the free parking at the Mystic Art Center this summer during the paving phase of the Mystic Streetscape project.

The Town Manager reviewed past and current policies for encumbrances. He noted that a policy change was enacted about a year and a half ago on the advice of the Town's auditors.

Members discussed the process for encumbering funds. Questions were raised concerning the use of encumbered funds for purposes other than the original intent. Members questioned the policy of

encumbering funds, the amounts and uses of these funds, and the number of functions that have encumbered monies. Discussion ensued about the impact of the Mystic Streetscape project on downtown merchants.

A Point of Order was called by Moderator Ambroise in response to Rep. Gardner's questions to the Town Manager concerning the purchase price of the Spicer property. He stated that a referral has been made to the RTM Community Development & Services Committee regarding the purchase of this property. This matter will be on the RTM's July agenda; discussion and questions on this matter are appropriate for that meeting.

In response to Rep. Gardner's demeanor, Rep. Massett, who serves as chair of the RTM Rules & Procedures Committee, cited Rule 3.4 which states, "When any member is about to speak in debate or deliver any matter to the RTM, he/she shall rise and address the Chair as Mr./Madam Moderator."

The Moderator noted that this rule should be observed by all members unless a physical disability would prevent a member from standing.

In response to Rep. Hedrick, the Town Manager stated that he can report on revenue received from Pfizer for both real estate and personal property for the past four years. Answering a question from Rep. Swindell, Mr. Oefinger assured the body that both the Town and City are actively involved in discussions with Pfizer concerning the downsizing of the Groton workforce and the future use of the numerous vacant buildings on the Pfizer campus. He noted that confidentiality prevents him from complete disclosure of information.

Rep. Cerf suggested that businesses located on Flanders Road be contacted and encouraged to relocate to the Pfizer facility since all utilities are available. This would provide an alternative to extending utilities to the industrial park on Flanders Road at a cost of \$15 million.

G. REPORT OF THE SUPERINTENDENT OF SCHOOLS

The Moderator stated that newly-appointed Interim School Superintendent Randall Collins is not available to attend this meeting due to a scheduling conflict.

H. LIAISON REPORTS

Town Council/BOE/RTM/City Council Liaison Committee

Rep. Watrous attended the meeting held on June 6, 2012. She reported that bylaws were adopted and the committee discussed the BOE "Vision of the District". The BOE has designated middle schools as a priority; a "Middle School Improvement Committee" will be named for the next phase of school design; a survey will be generated to determine the causes for the failure of Phase II and whether one or two middle schools are desired by residents. The committee briefly discussed playing fields in Town and noted that the Mystic Education Center is no longer available for use.

I. COMMITTEE REPORTS

1. FINANCE - Chairman Granatosky

Chairman Granatosky read the minutes of the meeting held on June 13, 2012. (Minutes are attached to the permanent record.)

Motion to approve the minutes was made by Rep. Granatosky, seconded by Rep. Aument and so voted unanimously.

2012-0111 FYE 2012 Fourth Quarter Transfers

RESOLUTION FOR FYE 2012 FOURTH QUARTER TRANSFERS

WHEREAS, the Town Charter provides for supplemental appropriations to Adopted Budgets and transfers from the Contingency function during the year and

WHEREAS, the Town Charter also provides for the transfer of funds from one departmental

function to another departmental function during the last three months of the fiscal year, and

WHEREAS, transfers are necessary and represent expenditures that were unforeseen or unexpected at the time the FYE 2012 budget was adopted, now therefore be it

RESOLVED, that \$23,000 be transferred from the General Fund Contingency function (#1074) to Voter Registration (#10031) for costs associated with the April 24, 2012 presidential primary.

Refer to RTM.

A motion was made by Rep. Granatosky, seconded by Rep. DeMatto, that this matter be Adopted.

Rep. Massett disclosed that her husband Stephen Massett is the Republican Registrar of Voters and that she will be abstaining.

The motion carried by the following vote:

Votes: In Favor: 30 - Moderator Ambrose, Rep. Adams, Rep. Aument, Rep. Baril, Rep. Barnhart, Rep. Cerf, Rep. Collins, Rep. Conley, Rep. Deane-Shinbrot, Rep. DeMatto, Rep. Driscoll, Rep. Ferreira, Rep. Granatosky, Rep. Harrell, Rep. Hedrick, Rep. Heede, Rep. Hubbard, Rep. Johnson, Rep. Loughlin, Rep. McDermott, Rep. Pasqualini Jr., Rep. Prochaska, Rep. Ryley, Rep. R. Semeraro, Rep. Steinford, Rep. Streeter, Rep. Svencer, Rep. Swindell, Rep. Watrous and Rep. Williams
Opposed: 2 - Rep. Gardner and Rep. Kotowski
Abstain: 1 - Rep. Massett

2. COMMUNITY DEVELOPMENT & SERVICES - Chairman Ferreira

Chairman Ferreira reported that there was no quorum present at the meeting on June 11, 2012.

2012-0158 Services Shared Between Towns

SERVICES SHARED BETWEEN TOWNS

Discussed

Chairman Ferreira noted that members did discuss several options that could be pursued. Moderator Ambrose suggested that another meeting be scheduled so that the committee can formulate a recommendation to the entire RTM.

3. EDUCATION - Chairman Hedrick

No meeting, no report.

4. RECREATION - Chairman Streeter

No meeting, no report.

5. PUBLIC SAFETY - Chairman Pasqualini

No meeting, no report.

6. PUBLIC WORKS - Chairman Collins

No meeting, no report.

7. RULES & PROCEDURES - Chairman Massett

Chairman Massett read the minutes of the meeting held on June 7, 2012. (Minutes are attached to the permanent record.)

Motion to approve the minutes was made by Rep. Massett, seconded by Rep. DeMatto and so voted unanimously.

2012-0113 RTM Email Options

Possible amendment to RTM Rules to allow for emailing of information to members

A motion was made by Rep. Massett, seconded by Rep. DeMatto, that this matter be Adopted.

The committee's recommendation is to amend RTM Rule 4.1 to read as follows: "Agendas, draft minutes of meetings and other communications will be mailed or emailed to RTM members at least

seven (7) days prior to scheduled meetings as per individual members' requests."

Members discussed the cost savings of utilizing email since funding for postage was eliminated by the RTM during budget deliberations. Objections were raised due to potential FOI requests related to personal email accounts. Concerns were voiced on implementation and the question was raised as to whether the email option would be strictly voluntary.

The Moderator clarified that the motion is to allow a voluntary option to receive notifications by email or regular mail.

Town Clerk Moukawsher addressed concerns and stated that the Town originates the email distribution and keeps email for two years. She noted that a form will be provided to members to select the method of notification they prefer. She confirmed that it is a voluntary option and that regular postal service would be used for individuals who choose not to receive communications by email. The option to provide Town email addresses to RTM members is not part of this rule change and would have to be addressed separately at a cost of \$4,254.75. She noted that a referral will be necessary for next month to address the issue of the lack of funding for postage in the FYE2013 budget.

It was noted that members could set up a secondary personal email account or a separate file for RTM communications to protect their personal email from FOI seizure.

The motion carried by the following vote:

Votes: In Favor: 32 - Moderator Ambrose, Rep. Adams, Rep. Aument, Rep. Baril, Rep. Barnhart, Rep. Cerf, Rep. Collins, Rep. Conley, Rep. Deane-Shinbrot, Rep. DeMatto, Rep. Ferreira, Rep. Gardner, Rep. Granatosky, Rep. Harrell, Rep. Hedrick, Rep. Heede, Rep. Hubbard, Rep. Johnson, Rep. Kotowski, Rep. Loughlin, Rep. Massett, Rep. McDermott, Rep. Pasqualini Jr., Rep. Prochaska, Rep. Ryley, Rep. R. Semeraro, Rep. Steinfeld, Rep. Streeter, Rep. Svencer, Rep. Swindell, Rep. Watrous and Rep. Williams
Abstain: 1 - Rep. Driscoll

2012-0112

RTM Committee Debate and Decorum

RTM Committee Debate and Decorum

A motion was made by Rep. Gardner, seconded by Rep. Conley, that this matter be Tabled.

MOTION had been made by Chairman Massett, seconded by Rep. Svencer, in accordance with the committee's recommendation, to amend RTM Rule 9.2 dealing with ex-officio members by substituting the following language from Town Charter Sec 4.3, "Any town meeting under the provisions of the Charter, except as otherwise provided herein, shall be limited to the RTM members. The Town Manager, the Town Clerk, the chairman of the Board of Education (BOE), the Superintendent of Schools, the Town Attorney, and the members of the Town Council shall be ex-officio members, and shall have all the rights and privileges of the RTM members except the right to make motions and to vote."

Members discussed clarification of the rights of ex-officio members; rights of other RTM members in attendance at meetings of committees of which they are not members; and the fact that "Point of Order" is a motion and cannot be made by an ex-officio member. Members voiced concern that proposed changes had not been provided in writing prior to the meeting.

Rep. Steinfeld left at this time. 32 members remained.

The Moderator read RTM Rule 6.2.5 which clarifies committee membership. The Moderator is an ex-officio member of all committees and the floor leaders are ex-officio members of all RTM committees except those of which they are appointed members.

Discussion ensued on the responsibilities of the committee chairpersons and recognition of ex-officio members, other RTM members, and others in attendance at a public meeting.

The Moderator referenced RTM Rule 3.8 for clarification as to recognition of non-members.

Rep. Massett suggested that the body vote on the motion to amend RTM Rule 9.2 and requested a new referral to review RTM Rules section 3.8 and section 6 in addition to the remaining rules for any other clarification that the committee feels is necessary.

A MOTION to AMEND was made by Rep. Cerf, seconded by Rep. Kotowski to add "RTM members who are not members of the committee" after the first occurrence of "ex-officio members" and add "who are on the committee" after "shall have all the rights and privileges of the RTM members". She feels that this will clarify the issue of committee and RTM member privileges.

POINT OF ORDER was made by Rep. Hedrick that Rep. Cerf's amendment addresses ex-officio members of the RTM rather than other RTM members. Rep. Hedrick feels that a separate referral regarding other RTM members should be made, and noted that a complete review of the rules is not on the agenda for this meeting.

Confusion arose over the original motion to amend the rules, Rep. Cerf's amendment to insert replacement language, and the fact that the committee proposal was not provided in writing.

The Moderator reiterated that he made a referral to the RTM Rules & Procedure Committee that encompasses a total review of the RTM Rules. He requested that Rep. Cerf submit her proposed language change in writing.

A MOTION to AMEND the committee proposal was made by Moderator Ambrose, seconded by Rep. Baril to replace the words "Any Town Meeting" with "Any RTM Meeting."

The MOTION TO TABLE that appears at the beginning of discussion on this item was made at this point in the meeting. This would allow the RTM Rules and Procedures Committee to meet and provide written clarification of the proposed change to Sec. 9.2 prior to the vote.

The Moderator advised members that a referral has been made for a total review of the RTM Rules and that upon completion of the review, this matter will be returned to the body.

The vote to table the motion appears below:

The motion carried by the following vote:

Votes: In Favor: 27 - Moderator Ambrose, Rep. Adams, Rep. Aument, Rep. Baril, Rep. Barnhart, Rep. Cerf, Rep. Collins, Rep. Conley, Rep. Deane-Shinbrot, Rep. Driscoll, Rep. Ferreira, Rep. Gardner, Rep. Harrell, Rep. Heede, Rep. Hubbard, Rep. Johnson, Rep. Kotowski, Rep. Loughlin, Rep. Massett, Rep. McDermott, Rep. Pasqualini Jr., Rep. Prochaska, Rep. Ryley, Rep. R. Semeraro, Rep. Streeter, Rep. Svencer and Rep. Watrous
Opposed: 4 - Rep. DeMatto, Rep. Granatosky, Rep. Hedrick and Rep. Swindell
Abstain: 1 - Rep. Williams
Non-voting: 1 - Rep. Steinford

2012-0198

Review of RTM Rules

REVIEW OF RTM RULES (Sec. 3.8, Sec. 6 and Rules as a whole)

Referred

During discussion of the proposed change to RTM Rule 9.2, Chairman Massett requested a referral to clarify Sec. 3.8 regarding recognition of non-members and Sec. 6.2 "Committee Membership and Chair Appointment" and to review the RTM Rules as a whole.

The Moderator agreed and stated that proposed amendments to the RTM Rules will be provided in writing and made available to all members prior to discussion and vote by the body. He noted that there is no due date for this referral.

Chairman Massett requested that members send any suggested changes in writing to the Town Clerk.

Later in this meeting, a request was made by Rep. Kotowski to add "Budget Discussion" to the agenda under Section 5 "ORDER OF BUSINESS." The Moderator stated that the new referral will include this request, since the Rules & Procedures Committee is charged with reviewing the RTM Rules as a whole under the referral. He also noted that any change to the rules would require a two-thirds vote.

9. CONSOLIDATION - Chairman Pasqualini

No meeting, no report.

J. OTHER BUSINESS

Rep. McDermott requested a copy of the FYE2013 RTM Budget Spreadsheet. He also asked the Town Manager to obtain a legal opinion concerning the attempt of the RTM on April 30, 2012 to approve the Town Operations portion of the budget as one figure. He cited the controversy that arose from that action and feels that a legal opinion should be sought.

Rep. Kotowski asked for a referral to investigate the use of the RTM's power of initiative to request an Ordinance from the Town Council that would legislate a budget referendum after the RTM has completed its annual budget review. The Town Manager responded that the Charter governs procedure on the budget and that a referendum would require a Charter revision.

Rep. Cerf requested the formation of an ad-hoc Budget Committee on which members could volunteer to serve. She feels that this would allow members to obtain a better understanding of the budget and to research in-depth areas that may need additional clarification before the RTM's annual budget session.

Moderator Ambroise stated that he will take this request under advisement.

K. ADJOURNMENT

A motion to adjourn at 10:22 p.m. was made by Rep. Barnhart, seconded by Rep. Johnson and so voted unanimously.

Attest:

*Betsy Moukawsher, Town Clerk
Clerk of the RTM*

Sally A. Whitney, Assistant Town Clerk