



# 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 Kevin Power, Representatives Jean-Claude Ambroise, Joe Baril, Nancy E. Barnhart, Alicia Bauer, Nancy E. Beckwith, Michael Collins, Nancy M. Congdon, Warren T. Cooper, Luanne E. DeMatto, Syma Ebbin, Peter Fairbank, Nancy E. Gilly, Patrice Granatosky, Dolores Harrell, Keith L. Hedrick, Lynn Crockett Hubbard, Michael Dean Johnson, Rosanne E. Kotowski, Elizabeth Luck, Jackie Massett, Carole McCarthy, Roscoe Merritt, Constance Miller, Karen F. Morton, Scott Newsome, Dana C. Parfitt, Richard J. Pasqualini, Jr., Tim Plungis, Kristen L. Powers, Don Pratt, Betty A. Prochaska, John F. Scott IV, Jack Sebastian, Dana S. Semeraro, Joan Steinfeld, Irma Streeter, Mark Svencer, Archie C. Swindell, Robert A. Warn and Lori A. Watrous**

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Wednesday, July 13, 2011

7:30 PM

Groton Senior Center

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#### Regular Meeting

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#### A. ROLL CALL

*Moderator Kevin Power called the meeting to order at 7:33 p.m.*

*24 members were present, and a quorum was declared.*

*The Moderator reported that Reps. Ambroise, Beckwith, Congdon, Hedrick, Johnson, Miller, Parfitt, Plungis, Sebastian, Steinfeld, Streeter, and Warn called to say they are unable to attend this meeting.*

*Members Present: Moderator Power, Rep. Baril, Rep. Barnhart, Rep. Bauer, Rep. Collins, Rep. DeMatto, Rep. Fairbank, Rep. Gilly, Rep. Granatosky, Rep. Harrell, Rep. Hubbard, Rep. Kotowski, Rep. Massett, Rep. McCarthy, Rep. Merritt, Rep. Morton, Rep. Pasqualini Jr., Rep. Pratt, Rep. Prochaska, Rep. Scott, Rep. Semeraro, Rep. Svencer, Rep. Swindell and Rep. Watrous*

*Members Absent: Rep. Ambroise, Rep. Beckwith, Rep. Congdon, Rep. Cooper, Rep. Ebbin, Rep. Hedrick, Rep. Johnson, Rep. Luck, Rep. Miller, Rep. Newsome, Rep. Parfitt, Rep. Plungis, Rep. Powers, Rep. Sebastian, Rep. Steinfeld, Rep. Streeter and Rep. Warn*

*Also present were Town Manager Mark Oefinger, Public Works Director Gary Schneider, School Superintendent Paul Kadri, 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. Pasqualini.*

#### C. APPROVAL OF MINUTES OF JUNE 8, 2011

*A motion that the minutes be approved was made by Rep. Scott, seconded by Rep. Baril.*

*The vote to accept the minutes carried 21 in favor, 3 abstentions. (Abstaining: Reps. Harrell, Morton and Pasqualini.)*

#### D. CITIZENS' PETITIONS

*None.*

#### E. RECEPTION OF COMMUNICATIONS

*The Moderator received a letter from Mystic & Noank Library Director Lois Hiller thanking the RTM for its support during the budget and noting that the library is reopening on Thursdays.*

#### F. REPORT OF THE TOWN MANAGER

##### 1. Financial report

*Mr. Oefinger reported that the Fund Balance as of June 30, 2011 is approximately \$8.7 million; the FYE 2011 General Contingency balance is \$112,455; the Capital Reserve balance is \$330,110.*

**2. Monthly briefing**

*The Town Manager highlighted various items from the Town Manager's News. Mr. Oefinger noted that the information and statistics on the marine sewage pump-out program that was requested during budget deliberations are contained in the Town Manger's News.*

*The Town Manager stated that a copy of the Cooperation Agreement Housing For the Elderly between the Groton Housing Authority and the Town of Groton which was approved June 4, 1973 is also included in the Town Manager's News . He noted that item 3 of the agreement identifies that the Housing Authority shall pay 10% of the rent paid by tenants to the Town in lieu of property taxes, special benefit assessments and sewage system use charges. He stated that this should address the concern raised during budget deliberations as to why the Town is paying the sewer use fee for the Housing Authority.*

*In response to Rep. Granatosky, the Town Manager explained the reason for authorizing the use of a lock-box service for processing tax payments and added that the processing center is in Boston. He noted that Groton Utilities payments are processed by a similiar service in Hartford.*

*In response to Rep. Collins, the Town Manager will report back on construction and sidewalk work that is being done on Water Street.*

**G. REPORT OF THE SUPERINTENDENT OF SCHOOLS**

*Mr. Kadri reported on the State testing scores. He mentioned that the Board of Education (BOE) has decided to prioritize full-day kindergarten, reduce pre-kindergarten, and increase class sizes to compensate for the reductions to the education budget.*

*He mentioned that the BOE is proceeding pro-actively on upgrades to school security and initiating educational programs concerning bullying which is a community and regional issue.*

*He reported that a long-term infrastructure improvement plan is being formulated and prioritized by the BOE. He cited the S. B. Butler School boiler as an example of one of the significant needs for replacement.*

*In response to Rep. Kotowski, Mr. Kadri addressed her concerns about the use of excess funds in the health insurance account; the new occupational physical therapy program; the contractual obligations for salaried employees, teachers, secretaries and building maintenance personnel; and the adding of a new research position.*

**H. LIAISON REPORTS**

*None.*

**I. COMMITTEE REPORTS****1. FINANCE - Chairman Hedrick**

*No meeting, no report.*

**2. COMMUNITY DEVELOPMENT & SERVICES - Chairman Pratt**

*No meeting, no report.*

**3. EDUCATION - Chairman Swindell**

*No meeting, no report.*

**4. RECREATION - Chairman Warn**

*No meeting, no report.*

**5. PUBLIC SAFETY - Chairman Parfitt**

*No meeting, no report.*

**6. PUBLIC WORKS - Chairman Collins**

*No quorum was present at the July 13, 2011 meeting.*

**2011-0154 Adoption of Ordinance for Water Pollution Control Facility Improvements**

ADOPTION OF AN ORDINANCE APPROPRIATING \$2,700,000 FOR IMPROVEMENTS TO THE WATER POLLUTION CONTROL FACILITY AND AUTHORIZING THE ISSUE OF BONDS, NOTES AND OBLIGATIONS IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. That the sum of TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$2,700,000) is appropriated for improvements to the Water Pollution Control Facility, contemplated to include: (a) upgrades to the Effluent Pump Station including the replacement of pumps, piping and valves, the installation of variable frequency drives for electrical efficiency and system reliability, electrical equipment replacements, new instrumentation and controls, and incorporation of the station into the Water Pollution Control Facility's SCADA system; (b) rehabilitation of Secondary Clarifier No. 2 including removal and replacement of the existing clarifier equipment, upgrades to the existing electrical interconnections with the Water Pollution Control Facility's SCADA control system, and related structural and site work; (c) upgrades to the Gravity Thickeners including removal and replacement of the existing steel thickening mechanism and superstructure, replacement of the major gear drive unit, repair of deteriorating concrete, upgrades to the existing electrical equipment and connections, modifications to the Water Pollution Control Facility's SCADA system, and related structural and site work; and (d) related work and improvements. The Town Council may reduce or modify the scope of the project and the entire appropriation may be spent on the project as so reduced or modified. The appropriation may be spent for design, construction, acquisition and installation costs, equipment, materials, site improvements, engineering fees, management costs, inspection costs, printing costs, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

Section 2. That the Town issue bonds or notes or obligations in an amount not to exceed TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$2,700,000) to finance the appropriation for the project. The amount of bonds or notes or obligations authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes or obligations shall be issued pursuant to Section 7-259 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes or obligations shall be secured by the irrevocable pledge of the full faith and credit of the Town of Groton. The Town does hereby covenant and agree with the holders of the bonds or notes or obligations and all notes and interim funding obligations issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes or obligations that in each year while any such bonds or notes or obligations are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town, other than properties within the City of Groton, in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes or obligations as the same become due and payable.

Section 3. That the Town issue and renew temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes or obligations and the receipt of grants for the project. The amount of the notes or obligations outstanding at any time shall not exceed TWO MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$2,700,000). The notes or obligations shall be issued pursuant to Section 7-264 and 7-378 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be secured by the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Sections 7-378a and 7-378b of the General Statutes with respect to any notes that do not mature

within the time permitted by said Sections 7-264 or 7-378, and the Town shall comply with the provisions of Section 22a-479(c) with respect to any obligations.

Section 4. That the Town Council shall determine the amount of bonds, notes or obligations authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes or interim funding obligations authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes or obligations by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes or obligations. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes or obligations; to provide for the keeping of a record of the bonds or notes or obligations; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes or obligations; to designate a financial advisor to the Town in connection with the sale of the bonds or notes or obligations; to sell the bonds or notes or obligations at public or private sale; to deliver the bonds or notes or obligations; and to perform all other acts which are necessary or appropriate to issue the bonds or notes or obligations.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes or obligations authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes or obligations to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes or obligations.

Section 7. That the Town Manager, on behalf of the Town, is authorized to apply for and accept state grants to finance the project and state loans to finance the project, and to enter into any grant or loan agreement prescribed by the State. The Town Manager, the Director of Finance and the Water Pollution Control Authority are authorized to take any other actions necessary to obtain such grants or loans pursuant to Section 22a-479 of the Connecticut General Statutes, Revision of 1958, as amended, or to any other present or future legislation, or to implement such grant or loan agreements.

Section 8. That the Water Pollution Control Authority is authorized to construct the sewer project; to approve design and construction expenditures and any easement acquisition costs incurred for the sewer project; and to contract with engineers, contractors and others on behalf of the Town for said sewer project. All such authority is subject to the provisions of Section 1.

Section 9. That the Town Manager, the Director of Finance, the Water Pollution Control Authority and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes or obligations to finance the aforesaid appropriation.

Section 10. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes and obligations to finance said appropriation have been approved by the voters at referendum in accordance with Sections 5.5.5.1 and 9.13 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Refer to RTM under Rule 6.5.3

**A motion was made by Moderator Power, seconded by Rep. Collins, that this matter be Adopted and Sent To Referendum.**

*Chairman Collins reported that no quorum was present at the meeting held on July 13, 2011. He read a letter that was received today from the State DEP regarding funding for this project. (Letter is attached.)*

*The Moderator noted that this item was referred by the Town Council to the RTM on July 5, 2011, and subsequently to the RTM Public Works Committee under Rule 6.5.3.*

*Director of Public Works Gary Schneider recommended that the Town should not proceed with the special referendum for the improvements to the Water Pollution Control Facility. He stated that this recommendation is based on the DEP letter dated July 13, 2011, and the four conditions that must be met to preserve the funding. He believes that it is not possible for the Town to meet the first two conditions by the September 30 deadline.*

*The Town Manager supports Mr. Schneider's recommendation. He commented on the complexity of the situation regarding the State funding. He provided information on the individual components of the upgrade and the estimated costs for a special referendum and engineering that are not included in the current budget. He mentioned that the upgrades to the WPCF could be done as three separate projects or all together. He stated that the projects could be funded by CIP funds or Sewer Authority funds. He noted that an ordinance to proceed with one or all of the projects could be placed on the ballot in November 2011 or 2012.*

*Rep. Granatosky supports using Sewer Authority funds for these projects and recommends against approving this Ordinance and going to referendum at this time.*

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

**Votes:** Opposed: 24 - Moderator Power, Rep. Baril, Rep. Barnhart, Rep. Bauer, Rep. Collins, Rep. DeMatto, Rep. Fairbank, Rep. Gilly, Rep. Granatosky, Rep. Harrell, Rep. Hubbard, Rep. Kotowski, Rep. Massett, Rep. McCarthy, Rep. Merritt, Rep. Morton, Rep. Pasqualini Jr., Rep. Pratt, Rep. Prochaska, Rep. Scott, Rep. Semeraro, Rep. Svencer, Rep. Swindell and Rep. Watrous

## **7. RULES & PROCEDURES - Chairman Scott**

*No meeting, no report.*

### **J. OTHER BUSINESS**

### **K. ADJOURNMENT**

*A motion to adjourn at 8:56 p.m. was made by Rep. DeMatto, seconded by Rep. Fairbank and so voted unanimously.*

*Attest:*

*Betsy Moukawsher, Town Clerk  
Clerk of the RTM*

*Sally A. Whitney, Assistant Town Clerk*