



Town of Groton, Connecticut

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Town Clerk 860-441-6640
Town Manager
860-441-6630

Meeting Minutes

Town Council

Mayor Patrice Granatosky, Councilor David Atwater, Councilor Conrad F. Heede, Councilor Rachael Franco, Councilor Rich Moravsik, Councilor Lian Obrey, Councilor Juliette Parker, Councilor Rita Schmidt, and Councilor Joe Zeppieri

Tuesday, January 2, 2018

6:30 PM

Town Hall Annex - Community Room 1

SPECIAL MEETING

Mayor Granatosky called the meeting to order at 6:30pm.

I. ROLL CALL

Members Present: Mayor Granatosky, Councilor Atwater, Councilor Franco, Councilor Heede, Councilor Moravsik, Councilor Obrey, Councilor Parker, Councilor Schmidt and Councilor Zeppieri

Mayor Granatosky declared a quorum. Also present were Town Manager John Burt, Finance Director Cindy Landry, Superintendent of Schools Dr. Michael Graner, Board of Education Chairwoman Kim Watson, and Town Clerk Betsy Moukawsher.

II. SALUTE TO THE FLAG

The Salute to the Flag was led by former Town Councilor Karen Morton.

III. RECOGNITION, AWARDS & MEMORIALS

None.

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

Karen Morton, 67 Mariners Lane, Mystic, addressed the Town Council regarding a pending referral from the previous Town Council. She made a request that the Town Council review the benefits for Town Retirees and consider providing a Cost of Living increase every year. Her statement is on file at the Town Clerk's office.

Bryon Niemann, 76 Allen Street, commented on something that he had heard at a previous Committee of the Whole meeting. He referred to Mr. Jon Reiner's report of a possible development in the Center Groton area near the intersection of Routes 184 and 117. He stated that a north and south left turn signal should be added to address possible heavy traffic issues.

Carl Peruzzotti, 69 Noble Avenue, referred to a postcard that the Town Council used during their campaign for election. He stated that the message featured a declaration of being stewards of the taxpayer's money and your opponents as having a tax-and-spend philosophy. He stated that he thought it was a great postcard and it earned his vote for them. He stated that he now hopes that the Council will adhere to its message. He presented information regarding his home as having an 11% increase in the evaluation since the purchase in 2004, as compared to the increase of his taxes by 73%. He stated that he had learned that anyone can complain, but it take a manager to propose a solution. He presented three options: 1.) Balour Beatty, an \$11 Billion English Corporation, pays the Town nothing. He stated that you can't tax it because its assets are on government land. He stated that the Town can bill it for services. He suggested that the town adopt a PILOT program. 2.) He suggested that the Noank School Public Garden should be re-examined to allow for a fair discussion to determine the best use of the property. 3.) He stated that the Odd Fellows legislation introduced by State Senator Somers worked against the Town and taxpayers. He stated that our State Representative did nothing to advocate for us at the hearing in Hartford and the Mayor did a dramatic reverse of his statement and votes. He stated that the entire Town staff and Town Council had been against the bill that had be introduced granting the

Odd Fellows this favorable increase to their tax-free status. He stated that the Town Council's decision changed in two days. He stated that the Town ended up signing a deal that may not have been the best for this Town. He urged the Town Council to try to understand what happened. He suggested that they appeal to the State Representatives to rescind a law that grants a permanent twenty-five million dollar tax exemption of the first 25 million dollars of value. He stated that this is an increase from the original act. The tax exemption was based on the value of the property not to exceed \$100,000. He stated that once the value of the property exceeds \$100,000 the exemption was to go away. He quoted Benjamin Franklin in saying a fool and his money are soon parted. He stated that he is counting on this Town Council to take a different approach to the way our money is managed.

Ian Thomas, 159 Shennecossett Parkway, he stated that he seconds everything that Mr. Peruzzotti said and that all three of his points were great, strong avenues of revenue to explore. He stated that his issue is not exactly a council issue, but more of a public statement of awareness. He stated that some of the circulators of the Groton's Right to Vote petition advocating to put the Charter Revision Commission recommendations on a ballot have misrepresented themselves or the proposed referendum. He urges anyone with concerns about the Charter Revision Commission recommendations to seek out other groups and get the word out there. He stated that there is another group calling themselves Neighbors Representing Groton that are acting as a counterpoint to the Groton's Right to Vote group. He stated that there is a lot of confusion over what is actually being recommended and what is not. He urged the community at large to educate themselves and not sign anything unless you understand exactly what you are signing and supporting. He stated that he does support anyone's right to circulate a petition, but it is our citizen's responsibility to understand what they sign.

Portia Bordelon, 159 Shennecossett Parkway, she stated that there seems to be a lot of confusion surrounding the petition. She stated that it is not being represented like it should be. She stated that she is hoping that the accountability on the other end, when the petitions signatures are counted, are upheld to what they should be. She clarified her statement by saying that the signatures need to be counted properly and looked over because she feels a lot of people are signing this petition without really getting the background or the education. She stated that they are getting a simple one sheet of paper on a plastic board that states a few of the points, but really not the full representation of the full 26 page Charter Revision Commission Report. She stated that she understands that the Town may be putting money back into the Education budget. She stated that being part of an Alliance District has caused her some concern, but that she supports returning funds to the Education budget. She stated that she has concern about the direction of education in the Alliance Districts, as to how this money will be spent. She stated that she has broadly shared her views and concerns as to why we are now part of an Alliance District. She stated one of the reasons is because we are not funding remedial support. She is hopeful that with the money returned, it will be used properly and put it where it belongs, which is back to the remedial aspects of our education. She stated currently we fund a ton of money in the upper end up at the high school, but where we are lacking is down in the lower levels. She stated that children do not have accessibility to remedial reading, math, and language. She stated her encouragement to the Council and the Board of Education to return the money back remedial support so we can get our children up to grade levels. She stated that our high school does not have funding or money to purchase some of the books for required reading. She explained that her son came home with over one hundred pages photo copied from a novel that he is reading in his college prep class. She stated that she contacted the school and Board of Education and she learned that some of the kids in the class have the novel to read and others have the photocopies. She stated that every child should have text books to read. She asked the Town Council and the Board of Education to look into this issue and figure out how we can make sure every student is given a proper novel here in Groton.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

Town Manager John Burt responded by saying that we have requested the cost associated with

Cost of Living adjustments for retirees. He stated that this will be considered along with the budget. In response to the turn signal, he stated that he will make sure that this information gets passed on the Jon Reiner. He stated that he is looking at and working on the Balfour Beatty issue. He stated that Odd Fellows is a planned topic and the next Committee of the Whole meeting.

Town Clerk Betsy Moukawsher responded to the question of the petition that is being circulated. She stated that to insinuate that there is something illegal being processed is an overstatement. She stated an illegal petition could not be certified.

Mayor Granatosky stated that she did not hear any of the citizens say that anything was being illegally done. She stated that this is not what they intended to say. She stated that she did not hear anyone say that this it was illegal.

VI. CONSENT CALENDAR

a. Approval of Minutes

2017-0302 Approval of Minutes (Town Council)

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meetings of November 28, 2017 and December 5, 2017, and December 12, 2017 are hereby accepted and approved.

This Matter was Adopted on the Consent Calendar.

b. Administrative Items

2017-0292 Special Trust Fund Contributions

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Jude Rodricks - \$10.00 - Parks and Recreation Revolving
 John Watson - \$200.00 - Parks and Recreation Revolving
 Andrew Milnarik - \$10.00 - Parks and Recreation Revolving
 Groton Senior Center Club 55 - \$59.00 - Parks and Recreation Revolving
 Mary Jo Riley - \$11.50 - Parks and Recreation Revolving
 Adele Barclay - \$100.00 - Social Services Discretionary
 Raymond & Virginia Bousquet - \$100.00 - Social Services Discretionary
 First Choice Safety Solutions - \$2,000 - Social Services Discretionary
 Groton Senior Center Club 55 - \$400.00 - Social Services Discretionary
 Rotary Club of Mystic - \$400.00 - Social Services Discretionary
 Mystic Rotary, Mystic Lions and Liberty Bank - \$1,169.49 - Social Services Discretionary
 Margaret Adams - \$250.00 - Social Services Discretionary
 Robert Ashworth - \$150.00 - Social Services Discretionary
 Cardinal Honda - \$417.00 - Social Services Discretionary
 Chelsea Groton Bank - \$1,854.00 - Social Services Discretionary
 Dawn Indermuehle - \$25.00 - Social Services Discretionary
 Kenneth & Amy Richards - \$125.00 - Social Services Discretionary
 David Rose - \$100.00 - Social Services Discretionary
 Mary Lou Svencer - \$20.00 - Social Services Discretionary
 Constance Miller - \$10.00 - Groton Utilities Energy Assistance Program
 Anonymous - \$70.00 - Groton Utilities Energy Assistance Program
 Nancy d'Estang - \$100.00 - Library Miscellaneous
 Stonington Veterinary Hospital - \$25.00 - Library Renovations
 Anonymous - \$120.00 - Social Services Discretionary
 Iris Dow - \$50.00 - Social Services Discretionary
 Mary Laforce - \$20.00 - Social Services Discretionary
 Ronald & Margaret Stoven - \$100.00 - Social Services Discretionary

Adele Barclay - \$100.00 - Social Services Discretionary
 BPO Elks Lodge No 2163 - \$1,000.00 - Social Services Discretionary
 Jay Dempsey - \$100.00 -
 Mariellen French - \$100.00 - Social Services Discretionary
 Matthew & Karen Morton - Social Services Discretionary
 Northern Lights - \$500.00 - Social Services Discretionary
 Janiss & Albert Rudolph - \$50.00 - Social Services Discretionary
 Elaine Sloan - \$25.00 - Social Services Discretionary
 Ralph and Diana Stanzione - \$150.00 - Social Services Discretionary
 Lee Vincent - \$50.00 - Social Services Discretionary
 John Leshy - \$100.00 - Library Miscellaneous
 Mary Smith - \$15.00 - Library Miscellaneous

This Matter was Adopted on the Consent Calendar.

c. Deletions from the Town Council Referral List

2017-0295 Payments to Outside Agencies

This Matter was Deleted from Referral List - No further action on the Consent Calendar.

2017-0246 Introduction of Ordinance Amending Various Ordinances to Increase Fines

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2017-0247 Resolution Setting a Public Hearing on Ordinance Amending Various Ordinances to Increase Fines

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2017-0285 Building Permit Fees

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2017-0287 Supplemental Appropriation for Contingency

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2017-0288 Contingency Transfer for Wage Increases and Other Items

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2017-0289 Supplemental Appropriation for Town Hall Complex

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2017-0291 Filling of Telecommunicator I Position

This Matter was Deleted from Referral List - No further action on the Consent Calendar.

2017-0294 Appointment of Town Council Personnel and Appointments Committee by Mayor

This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.

2017-0298 Boulder Heights Conservation Easement

2017-0301 Supplemental Appropriation to Board of Education

Passed The Consent Calendar

A motion was made by Councilor Moravsik, seconded by Councilor Schmidt, to adopt the Consent Calendar, including all the preceding items marked as having been adopted on the Consent Calendar.

The motion carried unanimously

VII. COMMUNICATIONS & REPORTS (Other than Committee Reports)

a. Town Councilors

Councilor Obrey reported that she had attended a meeting at the Nautilus Submarine Museum hosted by the Captain and Admiral of the SubBase. She wished everyone a Merry Christmas and a Happy New Year.

Councilor Atwater reported that he had attended the Children First Groton and School Readiness Council on January 2, 2018. He stated that this Council is committed to ensure that all Groton children, birth through age eight, are healthy, safe, successful learners connected to strong families within a community that values diversity. He stated that this is what this Council is promoting and doing. He stated that he was quite impressed with the program.

Mayor Granatosky reported that the Council has received a donation to the Spicer Fund from Suisman and Shapiro. She stated that the Spicer Fund was set up many years ago for social services in the town of Groton. She stated that this was a very nice donation made to that fund. She stated that Councilor Obrey will be attending the Change of Charge Ceremony at Nautilus on behalf of the Council. She would reviewed a few items in the Town Manager's Report, as the Town Manager had bronchitis. She stated that the weekly status report is available on the Town website. She stated that the Flanders Road transfer station is accepting Christmas trees, free of charge, for disposal. She reported that the Planning Department is working to have the Town of Groton participate in FEMA's community rating systems which could result in discounts for flood insurance rates for municipalities that implement best practices for reducing flood risks. She reported that the Director of the Office of Planning & Development attended a Sustainability Network Workshop in Cambridge, where they were talking about NetZero buildings as in energy usage. She reported that the City of Groton Planning and Zoning Commission approved a zoning text amendment. She explained that what means for the town is to allow for creative redevelopment of the Groton Heights School. She stated that if something could be done with that building, it would be very beneficial to everyone.

b. Clerk of the Representative Town Meeting

Town Clerk Betsy Moukawsher stated that the RTM held their first meeting on December 13, 2017, where Syma Ebbin was elected as Moderator of the RTM for a term of two years. She reported that they discussed the Ordinance to Designate the Planning Commission and the Zoning Commission to be the Planning Commission for the Town of Groton and to abolish the Zoning Commission. She reported that the motion to veto did not pass. She stated that the RTM will be meeting again on January 10, 2018 at the Groton Senior Center where they will have the opportunity to adopt new rules for the 31st RTM and other business from the Town Council.

c. Clerk of the Council

Town Clerk Betsy Moukawsher reported that the Deputy Town Clerk Antoinette Pancaro, retired last Friday. She reported that Antoinette retired from Groton after thirty-one years of service. She reported that Antoinette has taken the position of Town Clerk for the town of North Stonington. She reported that she had received thirty-nine pages for the 2016 Groton Charter Revision Commission Report to Referendum on November 6, 2018 State Election petition, having verified 27 pages with 488 valid signatures. She stated that the circulators need to get at least 1900 signatures by January 12, 2018.

d. Town Manager

e. Department Heads

VIII. COMMITTEE REPORTS

a. Personnel & Appointments

Chairman Heede reported that the Committee met on January 2, 2018. He stated that there is nothing to report yet.

b. Temporary Rules

No report.

c. Committee of the Whole

Mayor Granatosky reported that the Committee of the Whole has a meeting scheduled for January 9, 2018 here at the Town Hall Annex.

IX. NEW BUSINESS

Suspension of Town Council Rule 7 b) to consider and act upon:

Councilor Parker made a motion to suspend the Town Council Rule 7 b), seconded by Councilor Moravsik. The motion carried unanimously.

2017-0301 Supplemental Appropriation to Board of Education**RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO BOARD OF EDUCATION**

WHEREAS, the Board of Education FYE 2018 appropriation was reduced due to proposed cuts to the State Education Cost Sharing grant, and

WHEREAS, Groton was designated as an Alliance District by the State Department of Education as of July 1, 2017 and this designation continues for five years to FYE 2022, and

WHEREAS, an Alliance District designation requires that Education funding cannot be reduced for fiscal years ending June 30, 2018 and June 30, 2019, and

WHEREAS, Connecticut State Department of Education has determined the 2017-2018 minimum budget requirement (MBR) calculation is the FYE 2017 budgeted appropriation of \$76,468,239, now therefore be it

RESOLVED, that \$1,568,239 is appropriated from the General Fund unassigned fund balance to the Board of Education function 1080 to meet the minimum budget requirement (MBR) and referred to the RTM for approval.

A motion was made by Councilor Moravsik, seconded by Councilor Schmidt, that this matter be Adopted and Referred to the Representative Town Meeting.

Councilor Zeppieri stated that whereas, the Connecticut State of Department of Education has determined that the 2017 to 2018 minimum budget requirement is \$76,468,239, but the Town Council hasn't seen anything in writing. Rather, it is just stated baldly without providing any memorandum from the Department of Education or any sighting of what the actual memorandum is. He stated that if the Council is going to make assertions, they should provide evidence or at least a citation that could be publicly found so that we could look it up and see just what was said.

School Superintendent Dr. Graner stated that he would provide the memorandum with the information that Council Zeppieri has requested. He stated that Kevin Chambers is the State Official who calculated the statutory language this year. He stated that he will forward this information to the Town Council. He stated that this memo is just a ten word email that basically said that the calculation is the appropriated amount from last year. He stated that when they checked the appropriated amount it was \$76,248,239.

In response to Councilor Obrey, Dr Graner stated that the goal is to be relieved of this designation as soon as possible. Councilor Obrey stated that this designation is like a double-edged sword. She stated that she is happy that we get the extra money, but it takes away from people thinking and knowing that we have good schools.

Dr. Graner stated that he plans to come back to the second Committee of the Whole. He stated that he will be going to a meeting on Monday, January 8, 2018 for Groton and the other two new communities that have this distinction. He stated that he is still trying to understand why Groton was put on this list. He stated that it is a function partly of the scores that the children received on the statewide test and it's also a function of the free and reduced lunch program. He stated that there a number of measures. He stated that being on the list is not necessarily a horrendous thing, but the reason the State is doing this, obviously, is to support the schools. He stated that there are now thirty-three school districts that have been identified in the state that can use this help. He stated that he hopes to be able to explain exactly where we are and what sort of measures were use

when he next meets with the COW. He stated that in a nutshell, they intend to use the money wisely to provide the services and to ultimately, after a five year period, get off the list.

Councilor Obrey stated that when Dr. Graner does come back for the COW meeting, perhaps he could come with an explanation for questions that have been asked tonight about the text books.

Councilor Zeppieri questioned the proficiency testing where the Groton District ranks 91 out of 137. Dr. Graner could not comment on this data, he stated that he was unfamiliar with it. He stated that the testing is in grades three through eight and then high school. He stated that it is done in literacy, mathematics, and science. He stated that he knows that our scores would rank, but it would be difficult to address Councilor Zeppieri's data. Councilor Zeppieri stated that he learned this information from the Internet. He stated that we are looking for objective measures of how our programs are working. He stated that if our objective measurer is of proficiency testing, then we are well below the mean in proficiency and our kids are not learning what they need to learn. He stated that our schools are not performing regardless of how much money we put into them. He stated that he knows that we are paying over \$17,000 per student per year for the course of their education, whereas the median in the state is \$15,000. Dr. Graner questions where Councilor Zeppieri got his information because it differs from his. Dr. Graner stated that we spend \$15,800 per student, which is near the State median. He stated that we have about 4,900 students enrolled with 4,400 who walk through Groton school doors and 500 students that the Board pays tuition for to attend other schools. He stated that if you look at the Groton budget, it pays to educate 4,900 students. Councilor Zeppieri made the request that Dr. Graner provide census data for the school district and actual cost per student. He stated that he would also like to know what the average performance on the proficiency testing was for the school district. He stated his understanding of the discrepancy in testing throughout town. He stated that he would like to look at that data also.

Councilor Heede stated that it would be good to know what the \$1.5 million would be spent on. He stated that he knows we will not re-open a school that has been closed. He questioned if we have to spend all of the money and what happen if we don't spend it all. Chairwoman Watson explained a handout that spelled-out the funding for various programs. The handout is attached to the minutes for the permanent record.

In response to Councilor Parker, the math specialist, along with the other specialist, will be full positions going forward.

Councilor Moravsik stated that he would like to see some of the funds used toward maintenance, such as a roof. Dr. Graner stated that there will be some site money restored because 15% was cut from of everybody, so the maintenance department will get restored. He stated that some of the equipment that is really essential to the maintenance will be purchased. Chairwoman Watson stated that things like the roof and the structural things are included in the Capital Improvement Projects, but those projects often get kicked down the road.

Councilor Schmidt stated that she is hoping that some of the money will go into books. Dr. Graner stated that we have plenty of books but in many cases we like students to annotate. He stated that he does not know the specifics of Ms. Bordelon's issue, but he intends to speak to the Principal. He stated that he was not aware that the Principal needed money for books. He stated that this may be a instructional strategy. He stated that it bothers him that we are running off hundreds of pages.

Councilor Franco stated that the State has not given the town any money for the Alliance District designation, but we have to comply with something that we are not really sure of yet. Dr. Graner stated that the meeting next Monday should supply the requirements. He stated that the State supplies many towns in the District with million of dollars. He stated that when Groton was added

to the list, they were told that they would receive no extra money. Dr. Graner was pleased that the Education Cost Share would remain the same as last year, which restored the \$5 million that we thought we had lost. He stated that the State has somehow allocated an addition \$600,000 to Groton this year. He stated that the State is not going to tell us how to spend it. He stated that the State will look at the areas where we think we need the help.

In response to Councilor Obrey, Dr. Graner stated that when they closed Pleasant Valley School they moved the children mostly to Charles Barnum, but didn't move the specialists. He stated that they will now be able to provide the needed support personnel. Councilor Obrey stated that she wants to make sure that Westside and Cutler have, across the board, the same kind of education. Both Dr. Graner and Chairwoman Watson stated that it has truly been the drive of the Board to provide comparable education to both schools.

Councilor Zeppieri stated that he just wanted to clarify his position. He stated that the Council would ask the hard questions and make the hard choices. He stated that they also believe that the most important thing that we do in our Town is to educate our children and we want to support that. He stated that they want evidence that the money is well spent. He stated that they want to see our children performing at higher levels on the proficiency test because those are the only objective criteria that we have. He stated that we can not do much about the need for the free and reduced lunch program, but the proficiency of the children as they learn in our schools is vitally important. He stated that it is not only vitally important for the students, but it is vitally important for the town. He stated that the Council would like to have objective evidence that the school system is improving and the kids are performing better than they had before. He stated that he wants to say to a young family looking to move to Groton that we have a great school system. He stated that he has always said this because he started out here and had the best teachers at Fitch compared to anywhere. He stated that he wants the Board to know that we are behind them, but we are also kicking a little because we want better.

The motion carried unanimously

2017-0246

Introduction of Ordinance Amending Various Ordinances to Increase Fines

INTRODUCTION OF AN ORDINANCE TO AMEND SECTIONS 1-7, 7-31, 10-101, 10-140, 10-184, 11-56 AND 11-81 OF THE CODE OF ORDINANCES

BE IT ORDAINED BY THE TOWN OF GROTON THAT:

Sections 1-7, 7-31, 10-101, 10-140, 10-184, 11-56 and 11-81 of the Town of Groton Code of Ordinances are amended as follows:

1. Sec. 1-7. - General penalty.
 - (a) Whenever in this Code or any other ordinance of the town, or rule or regulation promulgated by any officer thereof under authority vested in him by law or ordinance, any act is prohibited or is declared to be unlawful or an offense, or the doing of any act is required, or the failure to do any act is declared to be unlawful, where no specific penalty is provided, the violation of such ordinance, rule or regulation shall be punished by a fine not exceeding \$250.00. Each day any such violation shall continue shall constitute a separate offense.
 - (b) The imposition of any punishment under this Code shall not prevent the enforced abatement of any lawful condition by the town.
 - (c) Any condition caused or permitted to exist in violation of any of the provisions of this Code, officially designated as such and each day that such condition continues shall be regarded as a new and separate offense.
2. Sec. 7-31. - Notice of violation; fines.

Whenever any police officer finds any vehicle in violation of section 7-30, he shall attach to such vehicle a notice to the owner or operator that such vehicle has been parked in violation of the law, which notice shall indicate the nature of the violation. If such owner or operator appears at police headquarters, or responds via mail, within seven days of the time when such notice was attached, he may pay to the police department the sum of \$50.00 which shall be in full satisfaction of such violation. If such owner does not appear, nor respond via mail, within seven days, but does appear, or respond via mail within 14 days of the time such notice was attached, he may pay to the police department the sum of \$100.00 which shall be in full satisfaction of such violation. If such owner or operator does not appear at police headquarters, nor respond via mail, in response to such notice within 14 days and does not pay the sum of \$50.00 or \$ 100.00, as the case may be, then the police department shall cause such owner or operator to be prosecuted for such violation in the court having jurisdiction of such violations.

3. Sec. 10-101. - Permit-Required for persons over 16.

It shall be unlawful for any person over the age of 16 to solicit orders of purchase for future delivery of any goods, wares or merchandise including magazines and other printed matter, from door to door or on any street or highway within the town without first obtaining from the chief of police a solicitor's permit to do so and paying the chief of police the fee therefor, the amount of which shall be established by the Town Council by Resolution from time to time.

4. Sec. 10-140. - Violations/penalties

(a) Any person, partnership or corporation who is found to have violated this article shall be fined a definite sum not exceeding \$250.00 for each such violation.

(b) Each violation of this chapter shall be considered a separate offense, and any violation continuing more than one day of time shall be considered a separate offense for each day of violation.

(c) Nothing contained in this section shall be deemed to limit any remedy the town may have for the enforcement of this chapter.

5. Sec. 10-184. - Violation and penalty.

Every person, except those persons who are specifically exempt by this article, whether acting as individuals, owner, employee of the owner, operator or employee of the operator, or acting as a participant or worker in any way, who gives a massage or conducts a massage establishment without first obtaining a permit and paying a permit fee to the Town of Groton or shall violate any of the provisions of this article or of the rules and regulations established by the chief of police or the director of health pursuant to this article shall be subject to a fine not to exceed \$250.00. Each violation of this chapter shall be considered a separate offense, and any violation continuing more than one day of time shall be considered a separate offense for each day of violation. Nothing contained in this section shall be deemed to limit any remedy the town may have for the enforcement of this article.

6. Sec. 11-56. - Ticketing of violators; penalties.

Whenever any police officer finds any vehicles in violation of any parking regulation or restriction, he shall attach to such vehicle a notice to the owner or operator that such vehicle has been parked in violation of law, which notice shall indicate the nature of the violation.

(1) If such owner or operator appears at police headquarters, or responds via mail, within seven

days of the time when such notice was attached, he may pay to the police department the sum of \$20.00 which shall be in full satisfaction of such violation.

(2) If such owner or operator does not appear, nor respond via mail, within seven days but does appear or respond via mail within 14 days of the time such notice was attached, he may pay to the police department the sum of \$40.00 which shall be in full satisfaction of such violation.

(3) If such owner or operator does not appear at police headquarters, nor respond via mail, in response to such notice within 14 days and does not pay the sum of \$20.00 or \$40.00, as the case may be, the police department shall cause such owner or operator to be prosecuted for such violation in the court having jurisdiction of such violations.

7. Sec. 11-81. - Bus motor vehicles in livery service.

(a) Legislative finding. The operation of motor vehicles of the bus type in livery service for the purpose of conducting commercial tours on any of the enumerated public streets or highways, which streets or highways are narrow, without adequate sidewalks, and frequently congested, endangers the safety of pedestrians and other travelers on such streets or highways, especially children and the elderly, and constitutes a noisome, unreasonable and unnecessary invasion of the property and privacy rights of residents and property owners.

(b) Definitions. The term "motor vehicle of the bus type in livery service" means and includes every motor vehicle with a seating capacity of ten or more passengers which is used for the transportation of passengers for hire with the exceptions noted in C.G.S. § 13b-101.

(c) Acts prohibited. No person shall operate a motor vehicle of the bus type in livery service on any of the following public streets or highways:

- Academy Lane
- Bank Street
- Burrows Street
- Clift Street
- Eldridge Street
- Elm Street (Mystic)
- Fort Rachel Place
- Front Street
- Gravel Street
- Grove Avenue
- High Street (Noank)
- High Street, Mystic from Noank Road (Route #215) north to Cow Hill
- Road/Allyn Street connector
- Library Street
- Military Highway between Grove Avenue and Crystal Lake Road
- Palmer Court (Noank)
- Park Place
- Pearl Street (Mystic)
- Pearl Street (Noank)
- Riverview Avenue (Noank)
- Starr Street
- Ward Avenue
- West Mystic Avenue

(d) Penalty. Any person violating the provisions of this section shall be fined not more than \$250.00 for each offense.

8. Each section of this Ordinance shall be effective on _____, 2017.

Read

2017-0247 Resolution Setting a Public Hearing on Ordinance Amending Various Ordinances to Increase Fines

RESOLUTION SETTING A PUBLIC HEARING ON AN ORDINANCE TO AMEND SECTIONS 1-7, 7-31, 10-101, 10-140, 10-184, 11-56 AND 11-81 OF THE CODE OF ORDINANCES

RESOLVED, that the Town Council will hold a public hearing on an Ordinance to Amend Sections 1-7, 7-31, 10-101, 10-140, 10-184, 11-56 and 11-81 of the Code of Ordinances on Tuesday, February 6, 2018 at 6:30 p.m. in Town Hall Annex, Community Room 1.

A motion was made by Councilor Heede, seconded by Councilor Moravsik, that this matter be Adopted.

The motion carried unanimously

2017-0285 Building Permit Fees

RESOLUTION AUTHORIZING BUILDING PERMIT FEE CHANGES

WHEREAS, during the FYE 2018 budget process, the Office of Planning and Development Services recommended that the fees in the building and planning division be increased for the next fiscal year; and

WHEREAS, a review of surrounding municipalities demonstrated that our land use fees are aligned with other municipalities; and

WHEREAS, the Town's building permit fees are substantially less than surrounding municipalities and do not cover the time and cost of the work to review and perform inspections up to project completion; and

WHEREAS, the Office of Planning and Development Services has proposed new fees that are still less than some of the surrounding municipalities; and

WHEREAS, Section 5-1 of the Town's Code of Ordinances allows fees for permits and certificates of occupancy to be amended by resolution of the Town Council and kept on file in the Office of the Town Clerk, now therefore be it

RESOLVED, that the revisions to the inspection fee schedule as presented to the Town Council in a memorandum dated December 5, 2017 are hereby accepted and approved, and be it

FURTHER RESOLVED, that the revised Building Permit Application Fees will take effect upon passage of this resolution by the Town Council.

A motion was made by Councilor Parker, seconded by Councilor Obrey, that this matter be Adopted.

The motion carried unanimously

2017-0287 Supplemental Appropriation for Contingency

RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO CONTINGENCY

WHEREAS, the Town Charter provides for supplemental appropriations to the Adopted Budget, and

WHEREAS, during FYE 2018 budget deliberations, only the labor agreements for the CILU-Telecommunicators employees had been settled and those wage increases were included in a department's FYE 2018 Budget, and

WHEREAS, during FYE 2018 budget deliberations additional funding was included in the FYE 2018 Contingency function to partially cover the cost of undetermined wage/salary increases for the remaining employee groups; CILU-Clerical, United Steelworkers-Parks/Public Works, Police, AFSCME-Supervisors and Non-Union, and

WHEREAS, wage increases for three of those groups (CILU-Clerical, AFSCME-Supervisors, Non-Union) have been incorporated into a department's FYE 2018 budget through a General Contingency transfer, and

WHEREAS, wages increases for the Police are now known and should be incorporated into the department's FYE 2018 budget through a General Contingency transfer, and

WHEREAS, the current Contingency balance will be insufficient to cover wage increases and other unforeseen/unexpected expenses that may occur during the year, now therefore be it

RESOLVED, that \$350,000 is appropriated from the General Fund unassigned fund balance to the Contingency function 1074 and referred to the RTM under Rule 6.5.3 for approval.

A motion was made by Councilor Atwater, seconded by Councilor Schmidt, that this matter be Adopted and referred under Rule 6.5.3 to the Representative Town Meeting.

The motion carried unanimously

2017-0288

Contingency Transfer for Wage Increases and Other Items

RESOLUTION FOR FYE 2018 GENERAL CONTINGENCY TRANSFERS

WHEREAS, the Town Charter provides for General Contingency transfers during the year, and

WHEREAS, during FYE 2018 budget deliberations, only the labor agreements for the CILU-Telecommunicators employees had been settled and those wage increases were included in a department's FYE 2018 Budget,

WHEREAS, during FYE 2018 budget deliberations, labor agreements/pay plans were not known and were not included in a department's budget for the remaining employee groups; CILU-Clerical, United Steelworkers-Parks/Public Works, Police, AFSCME-Supervisors and Non-Union, and

WHEREAS, wage increases for Police are now known and should be incorporated into a department's FYE 2018 budget through a General Contingency transfer, and

WHEREAS, the retirement of the former Town Manager resulted in additional expenses in Function 1010, Executive Management, and

WHEREAS, during budget deliberations funds were included in the General Contingency in anticipation of wage adjustments occurring during the fiscal year for a total Contingency appropriation of \$650,000, now therefore be it

RESOLVED, that \$415,052 is transferred from the General Fund Contingency function (#1074) to the following General Fund departments/functions and referred to the RTM 6.5.3 for approval:

TRANSFERS FROM CONTINGENCY TO FUNCTIONS

Function	Department	TOTAL
1001	Legislative Policy	\$ 32
1003	Voter Registration	\$ 503
1005	Town Clerk	\$ 3,940
1010	Executive Management	\$ 63,650

1011	Information Technology	\$	5,878
1013	Finance	\$	12,655
1024	Public Safety	\$	271,589
1035	Public Works	\$	10,030
1046	Planning & Development	\$	9,650
1051	Human Services	\$	9,052
1063	Library	\$	18,637
1064	Parks & Recreation	\$	9,436
	Total	\$	415,052

A motion was made by Councilor Parker, seconded by Councilor Moravsik, that this matter be Adopted and referred under Rule 6.5.3 to the Representative Town Meeting.

Councilor Zeppieri stated that the Council discussed this item in depth at the Committee of the Whole meeting and he thinks they all approved recommending it for a resolution. Mayor Granatosky thanked Councilor Zeppieri for bringing this up. She stated that many of the things happening at the Town Council meetings have all gone through the Committee of the Whole where Councilors discuss in great depth and where many questions are asked. She stated that what is happening tonight may look to be just a rubber stamp, but this is just the formal part of the process. She stated that if you are interested in the detail, you can look to a the Committee of the Whole meetings for the information.

The motion carried unanimously

2017-0289

Supplemental Appropriation for Town Hall Complex

RESOLUTION INCREASING APPROPRIATION FOR TOWN HALL COMPLEX PROJECT IN THE FYE 2018 CAPITAL BUDGET FROM CAPITAL RESERVE FUND BALANCE

WHEREAS, a project was approved in the FYE 18 Capital Improvement Program (CIP) entitled "6) C) Town Hall Complex" to complete the third phase of a multiple phased project to prepare the Fitch Middle School for reuse; and

WHEREAS, the Public Works Department received six bids on Thursday, November 9th for the work and there is insufficient funding (to include a construction contingency) to award the lowest base bid; and

WHEREAS, in order for the project to proceed, additional funding in the amount of \$75,000 (including a 10% construction contingency) must be appropriated; and

WHEREAS, the Finance Director has determined that there are sufficient funds in the fund balance of the Capital Reserve Fund; now therefore be it

RESOLVED, that the FYE 2018 CIP project 6) C) Town Hall Complex be increased by an additional appropriation of \$75,000 from the Capital Reserve Fund's fund balance.

Refer to RTM 6.5.3

A motion was made by Councilor Schmidt, seconded by Councilor Parker, that this matter be Adopted and referred under Rule 6.5.3 to the Representative Town Meeting.

The motion carried unanimously

2017-0294

Appointment of Town Council Personnel and Appointments Committee by Mayor

APPOINTMENT OF TOWN COUNCIL PERSONNEL AND APPOINTMENTS COMMITTEE BY MAYOR

The Mayor hereby appoints the following members to the Personnel and Appointments Committee for the Thirty-First Town Council.

1. Councilor Schmidt
2. Councilor Heede
3. Councilor Moravsik

Adopted

Mayor Granatosky appointed Councilor Heede, Councilor Schmidt, and Councilor Moravsik to serve on the 31st Town Council Personnel and Appointment Committee.

Suspension of Town Council Rule 7 b) to consider and act upon:

Councilor Moravsik made a motion to suspend Town Council Rule 7 b) , seconded by Councilor Parker. The motion carried unanimously.

2017-0298 Boulder Heights Conservation Easement**RESOLUTION AUTHORIZING A CONSERVATION AND PUBLIC RECREATION EASEMENT ON THE BOULDER HEIGHTS PROPERTY**

WHEREAS, the Town of Groton purchased the Merritt property on Fort Hill Road/Groton Long Point Road for open space and recreational uses, and

WHEREAS, the Town of Groton intends to build a new combined middle school on the Merritt property consistent with the Groton 2020 School Plan, and

WHEREAS, the Town of Groton has received permission from the State of Connecticut to substitute the Boulder Heights property located at the end of Colver Avenue for the Merritt property for future recreation use, and

WHEREAS, in the future the Town will plan for the development of recreational trails and/or fields at the Boulder Heights property, and

WHEREAS, the filing of a conservation and public recreation easement is part of the required state process for approval of the land substitution, now therefore be it

RESOLVED, that the Town Council hereby authorizes the Town Manager to sign a Conservation and Public Recreation Easement for the Boulder Heights property on Colver Avenue.

A motion was made by Councilor Franco, seconded by Councilor Schmidt, that this matter be Adopted.

Councilor Moravsik stated that he would have liked to have seen a plot plan of this land. He stated that he does not know where it is located. He stated that it may be adjacent to property that we are looking to develop and it may cause problems if we transfer it to the State. He stated that he understands that we need to vote on this.

Mayor Granatosky stated that the location had been published.

Councilor Obrey described the location of the property and the terrain. She stated that she doesn't believe that the property is comparable to the Merritt Farm property. She stated that the property may not be useful for anything.

Town Manager John Burt stated that there is a list of possible uses that the Parks and Recreation Commission has developed. He stated that the Parks and Recreation Commission is very interested in obtaining this property.

Councilor Heede stated that the Council is unsure whether it is good land or bad, if it is comparable, or what it is without seeing a picture.

Town Manager John Burt stated that the main point is that the 2020 Plan can not move forward without this swap. He stated that this could potentially hold back the project for a couple years if

we have to search for another property.

In response to Councilor Obery, Town Manager John Burt stated that the group has already expended funds and they are waiting for this approval to move forward.

Mayor Granatosky stated that this project has been out there for quite a while.

Town Manager John Burt displayed a picture on his cell phone from the Town GIS system.

Councilor Zeppieri made a motion to table this item, seconded by Councilor Moravsik. The motion to table failed by a vote of three in favor and six opposed. Councilors Moravsik, Obrey, and Zeppieri voted in favor of tabling the item.

Mayor Granatosky stated that this isn't something new. She noted that this property has not just been sprung on the Council. She stated that this property has been discussed for months; maps and pictures have been out there. She stated that there was plenty of time to do due diligence and go and look at the land. She stated that she thinks it would be a mistake to delay or vote this down, as many things are riding on this one particular action by the Council. She stated that a lot of people have done a lot of work to make this happen, She stated that she is aware that there are people apposed to using the Merritt Farm property for the school building, but at this point it is pretty much a done deal. She stated that if this property swap isn't complete, then it will pretty much put an end to the project. She stated that if this is your goal that is fine; you should own it if that is your goal. She strongly urged the Council to vote on this. She stated that they should not stall, they should vote to move forward.

Councilor Moravsik stated that he did not remember this item on any the Committee of the Whole agendas. He stated that he would have like to have seen a plot plan that showed one property compare to the other. He stated that if someone asks him where the property is, he knows that it is up by the highway, but he does not know the boundaries. He stated that our Planning Department could provide a map within an hour or so.

Mayor Ganatosky referred to a Day article that ran in the paper on October 31, 2016 detailing the twenty acre property know as Boulder Heights off of Colver Avenue with details.

Town Manager John Burt stated that the Town Council had agreed to the swap at an early date. Councilor Moravsik stated that he had no problem with the swap, he just wanted to see it.

Councilor Zeppieri stated that he can not vote on something that he really does not know. He stated that Councilor Moravsik's comments were right on and he is not sure that everyone else knows what they are voting on. He stated that he understands that this project has been out there for a while, but that it has not been presented to this Council. He stated that it has now come up for a vote without knowing what we are approving or disapproving.

Town Manager John Burt stated that the State had been adding more and more steps, and that is it the final step. He had received the approval from the State for this action a couple of days ago. He stated that normally this item would have gone to the COW, but he is concerned as to how long it will take the State to sign-off to build once we approve the swap.

Councilor Obrey stated that she understands the importance of this project. She stated that at the last RTM meeting, they were discussing a veto to an ordinance. She stated that she was proud of some of the members for stating that they could not vote on the ordinance because they were not familiar enough with it. She stated that she wished that the Council had seen the plan. She stated that this is why we are hesitant with it. She stated that these properties are not a fair swap and that she was not personally comfortable with the swap. She stated that she is torn by the fact that

something needs to be done.

Town Manager John Burt read the list of identified uses that the Parks and Recreation Commission had put together: multi-use natural or synthetic turf fields to address the identified field shortages in Town, facilities necessary to support this would be restrooms and concession; nature-based discovery play area, facilities necessary to support include parking and restrooms; establishment of habitat restoration area, this could include clear-cutting on an area of trees to establish a meadow. He stated that these ideas are pretty broad; at this point they do not have a firm plan. He stated that he just wanted to make sure that they have the options to do those things if they can.

Councilor Schmidt stated that this information was received by all Councilor in the mail and that everyone has had the packet with the opportunity to read. She stated that she hopes that in future we would be able to ask questions of the Mayor or of the Town Manager before the Council meeting so that if we had a lot of questions, they would be able to take it up at another time. She asked the Town Manager to advise the Council what to do when they have questions.

Town Manager John Burt stated that if you see something on an agenda and have a question, just shoot him an email.

Mayor Granatosky referred to a Trails Coordinating Task Force meeting from December, 2016 where the property was discussed: its location, 0 Long Hill Road, the need for trails and a parking lot, to be put in over the next two years.

Councilor Franco suggested that they take a break and look at a picture of the property.

Town Manager Burt displayed the site plan from his cell phone using the data from the Town GIS system.

Mayor Granatosky called for a brief recess at 7:50 pm to view the property. The meeting resumed at 7:56 pm. She stated that the Councilors had an opportunity to view several maps and familiarize themselves as to where everything was located.

Councilor Atwater stated that the Town voted a year and a half ago to build a new middle school, and it has been in the process now for a year and a half. He stated that the Mayor has pointed out a lot of information that has been happening. He stated that it seems at this point as though they just want to go out and kick the tires before we buy the car, but we need the car, so let's make the decision to do it. He stated that he does not see why we would want to postpone it or table it. He stated that it is his understanding that it has to be done, so let's do it.

The motion carried by the following vote:

Votes: In Favor: 7 - Mayor Granatosky, Councilor Atwater, Councilor Franco, Councilor Heede, Councilor Obrey, Councilor Parker and Councilor Schmidt
Opposed: 1 - Councilor Moravskik
Abstain: 1 - Councilor Zeppieri

X. ADJOURNMENT

Mayor Granatosky declared adjournment at 8:00 p.m.

Attest:

*Betsy Moukwasher
Groton Town Clerk
Clerk of the Council*