



# Town of Groton, Connecticut

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

## Meeting Agenda

### Town Council

*Mayor Heather Bond Somers, Councilors Dean G. Antipas, Bruce S. Flax, Bill Johnson, Frank O'Beirne, Jr., Deborah L. Peruzzotti, Rita M. Schmidt, James L. Streeter, and Harry A. Watson*

Tuesday, March 20, 2012

7:30 PM

Town Hall Annex - Community Room 1

#### I. ROLL CALL

#### II. SALUTE TO THE FLAG

#### III. RECOGNITION, AWARDS & MEMORIALS

#### IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to five (5) minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

#### V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

#### VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

##### a. Approval of Minutes

2012-0096 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of March 6, 2012 are hereby accepted and approved.

##### Legislative History

3/20/2012 Town Council Adopted

##### b. Administrative Items

2012-0075 Special Trust Fund Contributions

Resolution - Consent

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

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

Lionel and Sandra Banda - \$20.00 - Groton Utilities Energy Assistance Program (GAP)

Harold and Mary Brenton - \$10.00 - Groton Utilities Energy Assistance Program (GAP)

Mark Hage - \$10.00 - Groton Utilities Energy Assistance Program (GAP)

Diane and Dennis Haines - \$20.00 - Groton Utilities Energy Assistance Program (GAP)

Diane and Dennis Haines - \$20.00 - Groton Utilities Energy Assistance Program (GAP)

Dolores Haury - \$5.00 - Groton Utilities Energy Assistance Program (GAP)

Robert and Gisela Solt - \$5.00 - Groton Utilities Energy Assistance Program (GAP)

Stebbins Real Estate - \$25.00 - Groton Utilities Energy Assistance Program (GAP)  
 Emily Thomas - \$5.00 - Groton Utilities Energy Assistance Program (GAP)  
 George Marshall - \$100.00 - Social Services Discretionary Fund  
 Anonymous Donor - \$35.00 - Parks and Recreation Revolving  
 Anonymous Donor in memory of Margaret Frase - \$100.00 - Animal Shelter Miscellaneous  
 Anonymous Donor in memory of Margaret Frase - \$100.00 - Animal Shelter Miscellaneous  
 Steven McMahon in memory of Margaret Frase - \$50.00 - Animal Shelter Miscellaneous  
 Marge Fondulas in memory of Margaret Frase - \$25.00 - Animal Shelter Miscellaneous  
 Martin and Victoria Gollis in memory of Margaret Frase - \$25.00 - Animal Shelter Miscellaneous  
 Beverly Leckemby in memory of Margaret Frase - \$25.00 - Animal Shelter Miscellaneous  
 Gerry Johnson and Lou Reise - \$100.00 - Gretchen Hammerstein Memorial Maritime Collection  
 (Library Donation Fund)

Legislative History

3/20/2012      Town Council      Adopted

**c. Deletions from the Town Council Referral List**

2012-0070	Judson Avenue Drainage	Referral
2012-0076	Increase in Mystic Streetscape ARRA Funding	Referral
2012-0080	Annual RTM Budget Meeting	Referral
2012-0081	Human Services Radon Ventilation Systems Supplemental Appropriation	Referral
2012-0082	Mystic Streetscape Project Construction Agreement	Referral
2012-0093	Appointment of James Kimenker and William Everett to the Historic District Commission	Referral
2012-0094	Reappointment of Barbara Williams to Inland Wetlands Agency	Referral
2012-0095	Reappointment of Edward Stebbins to Zoning Board of Appeals	Referral

**VII. COMMUNICATION REPORTS (Other than Committee Reports)**

- a. Town Councilors
- b. Clerk of the Representative Town Meeting
- c. Clerk of the Council
- d. Town Manager
- e. Town Attorney

**VIII. COMMITTEE REPORTS**

- a. Community & Cultural Development - Chairman Schmidt
- b. Economic Development - Chairman Johnson
- c. Education/Health & Social Services - Chairman Watson
- d. Environment/Energy - Chairman Peruzzotti
- e. Finance - Chairman O'Beirne
- f. Personnel/Appointments/Rules - Chairman Flax

## g. Public Safety - Chairman Streeter

## h. Public Works/Recreation - Chairman Antipas

## i. Committee of the Whole - Mayor Somers

## IX. UNFINISHED BUSINESS

## X. NEW BUSINESS

## 2012-0070 Judson Avenue Drainage

Referral

## RESOLUTION REGARDING JUDSON AVENUE DRAINAGE

WHEREAS, funds were approved in FYE 2011 for preliminary engineering to improve the existing drainage system on Judson Avenue, in the area of Sommersett Drive and

WHEREAS, additional funds were approved in FYE 2012 for preliminary design and permitting and

WHEREAS, preliminary design work has been completed which identifies drainage improvements in six sub drainage areas at an estimated cost of \$1,615,000 and

WHEREAS, the Town Council has received a briefing on the proposed improvements, now therefore be it

RESOLVED that the Town Council directs staff to place this project for consideration in a future fiscal year.

Legislative History

2/22/2012	Mayor	Referred	Town Council Committee of the W
2/28/2012	Town Council Committee of the Whole	Tabled	
3/13/2012	Town Council Committee of the Whole	Recommended for a Resolution	

*Director Gary Schneider addressed the Town Council on potential bonded projects. He reported that in FYE 2011 that \$50,000 was approved for preliminary engineering to improved existing drainage system on Judson Avenue in the area of Sommersett Drive. Several residents had experienced flooding in their basements a study found that the existing drainage system was not constructed to handle the current design standard of 25-year storm. Mr. Schneider asked the Town Council in what direction they wanted to proceed. The Estimated amount of the Bond Ordinance would be \$1.6 million and this cost would not help all the people from having flooded basements.*

*Councilor Streeter asked if this project was in the CIP this year. Director Schneider said that it was, but it would have to be bonded and taken to the voters in November. Mayor Somers asked how many residents were affected. Mr. Schneider answered that there were 20 or 30. Mr. Schneider added that some residents were affected by the Road Maintenance Bond Project and that he would not recommend tearing up the entire road.*

*Councilor Antipas stated that spending \$1.6 million; and he knew that water was a tricky thing; he commented that the Town could spend the money and we would not really be sure what would happen. He asked Mr. Schneider if that was as far as he could take it? Mr. Schneider stated that one resident dam proofed his basement for \$20,000. He added that the main problem with most of the basements that had water was that their driveways were lower than the street itself.*

*Councilor Peruzzotti stated that she would not vote for this item. She said that she had sympathy for the 20 or 30 citizens, but it would be hard to support \$1.6 million for 20-30 citizens. She stated that the plan we have in place was the minimal amount that could be done and that it may not solve the problem.*

*Town Manager Oefinger explained that a fair amount of the affected homes should not have been built and that we could not fix that and that there were 70 homes in the general area and 20-25 were affected. He added that*

Public Works had done an extensive survey of the neighborhood to see if they had been having trouble in this area.

**3/13/2012**      **Town Council Committee of the Whole**      **Motion**  
*to direct Staff to place this project for consideration in a future fiscal year*

**3/13/2012**      **Town Council Committee of the Whole**      **Discussed**  
*Councilor Peruzzotti asked that if the Town were to move forward and take 4 projects forward; what would be the cost to bring to the voters. Town Manager Oefinger said that he would not agree to bring 4 items to the voters and that 4 questions would cost around \$4 million dollars. He said that items could be phased in. Councilor Streeter added that when the residents of Judson Avenue came in to meet with the Town Manager, Town Engineer Greg Hanover and himself; it was agreed upon to have a study done, but it was not going to correct the flooding problem.*

**3/20/2012**      **Town Council**      **Deleted from Referral List - Action to be taken**

**3/20/2012**      **Town Council**      **Adopted**

**2012-0076**      **Increase in Mystic Streetscape ARRA Funding**      **Referral**

RESOLUTION AUTHORIZING A FIRST SUPPLEMENTAL AGREEMENT TO THE ORIGINAL AGREEMENT DATED FEBRUARY 19, 2010 BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF GROTON FOR THE CONSTRUCTION, INSPECTION, AND MAINTENANCE OF THE GROTON MYSTIC STREETScape UTILIZING FEDERAL FUNDS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 PUBLIC LAW 111-5 (HEREINAFTER "ACT")

WHEREAS, the Town of Groton has requested and undertaken construction activities in conjunction with the Groton Mystic Streetscape project and will utilize federal funds under the "Act", and additional funds have become available to reimburse the Town for additional costs it has incurred and is incurring to complete the project, and

WHEREAS, said improvements include, but are not limited to, concrete sidewalks, granite curbing, granite stone pavers, landscaping, street furniture and ornamental lighting, herein identified as State Project No. 58-316 and Federal-Aid Project No. H018 (013), now therefore be it

RESOLVED, that Mark R. Oefinger, Town Manager, be, and hereby is, authorized to sign the Agreement entitled "First Supplemental Agreement to the Original Agreement dated February 19, 2010 between the State of Connecticut and the Town of Groton for the Construction, Inspection and Maintenance of the Groton Mystic Streetscape utilizing Federal Funds under the American Recovery and Reinvestment Act of 2009 Public Law 111-5 (hereinafter "Act").

Legislative History

**3/5/2012**      **Mayor**      **Referred**      **Town Council Committee of the W**

**3/13/2012**      **Town Council Committee of the Whole**      **Discussed**

*Mike Murphy, Director of Planning, asked the Town Council to authorize the Town Manager to execute a first supplemental agreement between the State of Connecticut and the Town of Groton to increase its funding for construction, inspection and maintenance activities associated with the Groton Mystic Streetscape and utility relocation improvements in Downtown Mystic.*

**3/13/2012**      **Town Council Committee of the Whole**      **Recommended for a Resolution**

**3/20/2012**      **Town Council**      **Deleted from Referral List - Action to be taken**

**3/20/2012**      **Town Council**      **Adopted**

**2012-0080**      **Annual RTM Budget Meeting**      **Referral**

RESOLUTION SETTING ANNUAL RTM BUDGET MEETING

WHEREAS, Section 9.3.1 of the Groton Town Charter requires that the Town Council determine the date for the annual budget meeting of the Representative Town Meeting, now therefore be it

RESOLVED, that the Annual Budget Meeting of the Representative Town Meeting will be held on Monday, April 30, 2012 at 7:00 p.m. at the Groton Senior Center, Newtown Road, Groton, Connecticut

Legislative History

- 3/7/2012 Mayor Referred Town Council Committee of the W
- 3/13/2012 Town Council Committee of the Whole Discussed
- A resolution was set for the Annual RTM Budget Meeting, to be held on Monday, April 30th at 7:00 p.m. at the Groton Senior Center.*
- 3/13/2012 Town Council Committee of the Whole Recommended for a Resolution
- 3/20/2012 Town Council Deleted from Referral List - Action to be taken
- 3/20/2012 Town Council Adopted

2012-0081

**Human Services Radon Ventilation Systems Supplemental Appropriation**

Referral

RESOLUTION APPROVING THE HUMAN SERVICES RADON VENTILATION SYSTEMS SUPPLEMENTAL APPROPRIATION

WHEREAS, radon was detected at concentrations above the Environmental Protection Agency's (EPA) standards at the Groton Human Services Building and

WHEREAS, a FYE 2012 CIP project entitled (6c.) Human Services Building in the amount of \$30,000 was approved for design and installation of a radon ventilation system for the building, and

WHEREAS, the Department of Public Works has put this project out to bid on two occasions and in both instances the bids received came in higher than the funds that were available, and

WHEREAS, the Director of PublicWorks advises that an additional \$8,000 is needed to fund the project, now therefore be it

RESOLVED, that a supplemental appropriation in the amount of \$8,000 from the Capital Reserve Unassigned Fund balance be made to the FYE 2012 Capital Improvement Project (6c.) Human Services Building (#501015518).

Legislative History

- 3/7/2012 Mayor Referred Town Council Committee of the W
- 3/13/2012 Town Council Committee of the Whole Discussed
- Director Schneider was requesting a supplemental appropriation request to vent the radon from the basement and building at Human Services and requesting a supplemental appropriation in the amount of \$8,000 from the Capital Improvement unassigned fund balance to the Capital Improvement Project FYE 2012 #501015518. Mayor Somers asked Director Schneider if we were sure it would work. Mr. Schneider answered that it had to be tested when completed under the performance contract.*
- 3/13/2012 Town Council Committee of the Whole Recommended for a Resolution
- 3/20/2012 Town Council Deleted from Referral List - Action to be taken

3/20/2012      **Town Council**      **Adopted**

**2012-0082      Mystic Streetscape Project Construction Agreement      Referral**

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF GROTON FOR THE CONSTRUCTION, INSPECTION, AND MAINTENANCE OF THE GROTON MYSTIC STREETScape PROJECT UTILIZING FEDERAL FUNDS FROM THE HIGH PRIORITY PROJECTS PROGRAM

WHEREAS, the Town of Groton has requested and undertaken construction activities in conjunction with the Groton Mystic Streetscape project and will utilize federal funds from the High Priority Projects program under the Transportation Equity Act of the 21st Century of 1998, and

WHEREAS, said improvements include, but are not limited to granite curbing, granite stone pavers, landscaping, concrete sidewalks, street furniture, ornamental lighting in the Mystic section of Groton, and

WHEREAS, these construction activities are now identified herein as State Project No. 58-321 and Federal-aid Project No. HO18 (013), now therefore be it

RESOLVED, that Mark R. Oefinger, Town Manager, be, and hereby is, authorized to sign the "agreement entitled "Agreement between the State of Connecticut and the Town of Groton for the Construction, Inspection and Maintenance of the Groton Mystic Streetscape utilizing Federal Funds under the High Priority Projects Program".

**Legislative History**

3/7/2012      **Mayor**      **Referred**      **Town Council Committee of the W**

3/13/2012      **Town Council Committee of the Whole**      **Discussed**

*Planning Director Mike Murphy reported to the Town Council that he and the Finance Director had been speaking to the Connecticut Department of Transportation for this agreement, since the State took the position that it could not reimburse the Town for its expenses. Mr. Murphy explained that ARRA was payment for construction. Mr. Murphy and the Finance Department had been pressing CONNDOT for development of this agreement for some time, since the State had taken the position that it could not reimburse the Town for its expenses without it.*

3/13/2012      **Town Council Committee of the Whole**      **Recommended for a Resolution**

3/20/2012      **Town Council**      **Deleted from Referral List - Action to be taken**

3/20/2012      **Town Council**      **Adopted**

**2012-0093      Appointment of James Kimenker and William Everett to the Historic District Commission      Referral**

RESOLUTION APPOINTING JAMES KIMENKER AND WILLIAM EVERETT AS ALTERNATE MEMBERS TO THE HISTORIC DISTRICT COMMISSION

RESOLVED, that James Kimenker, 31 Gravel Street, Mystic, is hereby appointed as an alternate member to the Historic District Commission for a term ending 12/31/16.

RESOLVED, that William C. Everett, 1 Prospect Street, Mystic, is hereby appointed as an alternate member to the Historic District Commission for a term ending 12/31/15.

**Legislative History**

3/13/2012      **Town Council Personnel/Appointments/Rules /Legislation Committee (2011)**      **Recommended for a Resolution**

	3/20/2012	Town Council	Deleted from Referral List - Action to be taken	
	3/20/2012	Town Council	Adopted	
<b>2012-0094</b>	<b>Reappointment of Barbara Williams to Inland Wetlands Agency</b>			<b>Referral</b>
	RESOLUTION REAPPOINTING BARBARA WILLIAMS TO THE INLAND WETLANDS AGENCY			
	RESOLVED, that Barbara Williams, 129 Elm Street, Noank, is hereby reappointed to the Inland Wetlands Agency for a term expiring 12/31/13.			
	<u>Legislative History</u>			
	3/13/2012	Town Council Personnel/Appointments/Rules /Legislation Committee (2011)	Recommended for a Resolution	
	3/20/2012	Town Council	Deleted from Referral List - Action to be taken	
	3/20/2012	Town Council	Adopted	
<b>2012-0095</b>	<b>Reappointment of Edward Stebbins to Zoning Board of Appeals</b>			<b>Referral</b>
	RESOLUTION REAPPOINTING EDWARD STEBBINS TO THE ZONING BOARD OF APPEALS			
	RESOLVED, that Edward Stebbins, 251 Elm Street, Noank, is hereby reappointed to the Zoning Board of Appeals for a term expiring 12/31/16.			
	<u>Legislative History</u>			
	3/13/2012	Town Council Personnel/Appointments/Rules /Legislation Committee (2011)	Recommended for a Resolution	
	3/20/2012	Town Council	Deleted from Referral List - Action to be taken	
	3/20/2012	Town Council	Adopted	

**XI. OTHER BUSINESS****XII. ADJOURNMENT**