



Town of Groton, Connecticut

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Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager
860-441-6630

Meeting Minutes Town Council

Mayor Heather Bond Somers, Councilors Dean G. Antipas, Bruce S. Flax, Bill Johnson, Karen F. Morton, Deborah L. Peruzzotti, Rita M. Schmidt, James L. Streeter, and Harry A. Watson

Monday, November 4, 2013

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

The meeting was called to order at 7:35 p.m. by Mayor Somers.

Members Present: Mayor Somers, Councilor Antipas, Councilor Flax, Councilor Morton, Councilor Peruzzotti, Councilor Schmidt and Councilor Watson

Members Absent: Councilor Johnson and Councilor Streeter

Also present were Town Manager Mark Oefinger, Town Clerk Betsy Moukawsher and Office Assistant Lori Watrous.

II. SALUTE TO THE FLAG

The Salute to the Flag was led by Dan Hetzel.

III. RECOGNITION, AWARDS & MEMORIALS

2013-0238 Proclamation Declaring November Pancreatic Cancer Awareness Month

Read

The proclamation was read by Councilor Peruzzotti.

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

Nicki Bresnyan, 2266 Gold Star Highway, Mystic, noted that a recent FOI request by two board members of the Poquonnock Bridge Fire District implied that she used Town resources to discredit the fire district board. Ms. Bresnyan stated that she works very hard to keep her activities as a private citizen separate from her duties with the Town and she retains her rights as a private citizen to express her opinions and participate in areas of government that are not in conflict with her Town duties.

Beth Robinson, 25 Lemont Road, requested an investigation into the police boat accident on August 31, 2013. She stated that officers need to have extensive training in the operation of the boat, not just law enforcement training. Ms. Robinson is concerned for the safety of her crew and passengers if there were an emergency which needed the police boat's assistance.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

In answer to Councilors' questions, Ms. Robinson stated that she had issues with the facts surrounding the accident. She noted that the Coast Guard requires 18 months of training for a similar boat. Ms. Robinson would like to see police officers receive the same training as Coast Guard personnel.

2013-0233 Police Boat Accident

POLICE BOAT ACCIDENT

Mayor Somers requested a referral to meet with the Town Manager and the Police Chief to discuss the accident in further detail and clear up any discrepancies.

VI. CONSENT CALENDAR

a. Approval of Minutes

2013-0253 Approval of Minutes (Town Council)

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of October 15, 2013 are hereby accepted and approved.

This Matter was Adopted on the Consent Calendar.

b. Administrative Items**2013-0246 Special Trust Fund Contributions**

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

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

Charles Rogers - \$25.00 - Social Services Discretionary

Barbara Weeman - \$10.00 - Social Services Discretionary

Various Donations - \$165.86 - Groton Utilities Energy Assistance Program

City of Groton - \$9.40 - Groton Utilities Energy Assistance Program

This Matter was Adopted on the Consent Calendar.

c. Deletions from the Town Council Referral List**2012-0069 Police Station Renovations**

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

2012-0246 Pending Claim

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

2013-0014 Pfizer Update

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

2013-0018 Flanders Road Utility Installation - Future Bond Referendum Potential

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

2013-0023 Town Police Presence/Jurisdiction in Schools

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

2013-0068 Blight Ordinance

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

2013-0089 Plan to Reduce the Number of Voting Districts

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

2013-0178 Strategy and/or Negotiations with Respect to a Pending Claim Concerning the Appointment of Special Counsel

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

2013-0224 Preliminary Results of Operations - FYE 2013

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

2013-0229 Appointments to Trails Coordinating Task Force

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

2013-0250 Noank School - Public Garden Proposal

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

2013-0252 Appointment of Douglas Smith to Zoning Commission

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

Passed The Consent Calendar

A motion was made by Councilor Watson, seconded by Councilor Antipas, to adopt the Consent

Calendar, including all the preceding items marked as having been adopted on the Consent Calendar.
The motion carried unanimously

VII. COMMUNICATION REPORTS (Other than Committee Reports)

a. Town Councilors

Councilors received a communication regarding the proposed community garden on the Noank School property.

Mayor Somers met with the new school superintendent and with merchants in downtown Mystic. She attended the Antiques and Collectibles Auction at Fairview. The Mayor received emails regarding paving in the City and housing issues.

b. Clerk of the Representative Town Meeting

The Town Clerk noted that the RTM had a successful joint meeting with the Town Council on September 30, 2013. Its October meeting was cancelled, and the next regular RTM meeting will be held on November 13, 2013.

c. Clerk of the Council

The Town Clerk announced that a presentation on the police study will be held on November 7, 2013, at the Senior Center. Polls will be open from 6 a.m. to 8 p.m. on November 5, 2013, for the election. The Town Clerk noted that residents not currently registered to vote can register on election day at the Registrars of Voters office.

d. Town Manager

The Town Manager stated that the third member of the committee on the City highway budget was identified as Chief Engineer for the City Highway Department Tom Harley. He received an email from City Mayor Galbraith notifying the Town that the City has some paving funding left over and would like to use these funds to pave Bayberry Lane, North Prospect Street, Meech Avenue and Circle Avenue. Mr. Oefinger announced that a Military Appreciation Breakfast will be held November 5, 2013, and a Veterans' Memorial Ceremony will be held November 8, 2013.

e. Town Attorney - No report.

VIII. COMMITTEE REPORTS

a. Community & Cultural Development - Chairman Schmidt

No meeting, no report.

b. Economic Development - Chairman Johnson

No meeting, no report.

c. Education/Health & Social Services - Chairman Watson

No meeting, no report.

d. Environment/Energy - Chairman Peruzzotti

No meeting, no report.

e. Finance - Chairman Morton

No meeting, no report.

f. Personnel/Appointments/Rules - Chairman Flax

Councilor Flax read the minutes of October 15, 2013, which are on file at the Town Clerk's office.

g. Public Safety - Chairman Streeter

No meeting, no report.

h. Public Works/Recreation - Chairman Antipas

No meeting, no report.

i. Committee of the Whole - Mayor Somers

Mayor Somers stated that the reuse of Noank School was discussed at the last Committee of the Whole meeting.

IX. UNFINISHED BUSINESS - None.

X. NEW BUSINESS

2013-0250 Noank School - Public Garden Proposal

RESOLUTION ALLOWING NOANK RESIDENTS SIX MONTHS TO DEVELOP A PLAN FOR REUSE OF THE FORMER NOANK SCHOOL PROPERTY

WHEREAS, on October 22, 2013 a group of Noank residents led by Robert Palm presented a proposal to the Town Council for "Noank School Public Gardens" with elements including a community garden, orchard, farmers' market, and reuse of a portion of the Noank School building for classrooms, public events, and storage, and

WHEREAS, the Town Council was supportive of the ideas presented, but desirous of more detailed information including the level of community support, financial considerations, and timelines, now therefore be it

RESOLVED, that the Town Council gives Robert Palm, Timothy McDowell, and Clint Wright six months from the date of this resolution to develop a more formal and detailed plan for reuse of the Noank School building and property including comprehensive cost estimates and financing plans/alternatives.

A motion was made by Mayor Somers, seconded by Councilor Antipas, that this matter be Adopted.

The motion carried unanimously

2013-0252 Appointment of Douglas Smith to Zoning Commission

RESOLUTION APPOINTING DOUGLAS SMITH AS AN ALTERNATE MEMBER TO THE ZONING COMMISSION

RESOLVED, that Douglas A. Smith, 58 Mohegan Road, is hereby appointed as an alternate member to the Zoning Commission, for a term expiring 9/30/16.

A motion was made by Councilor Flax, seconded by Councilor Morton, that this matter be Adopted.

Mayor Somers stated that she is aware of other individuals that are interested in serving on the Zoning Commission and the Council may want to consider interviewing all of them before making its appointments.

Council Flax noted that after Mr. Smith is appointed there will still be two alternate vacancies on this commission.

The motion carried by the following vote:

Votes: In Favor: 6 - Councilor Antipas, Councilor Flax, Councilor Morton, Councilor Peruzzotti, Councilor Schmidt and Councilor Watson

Opposed: 1 - Mayor Somers

XI. OTHER BUSINESS

Suspension of the Rules

A motion to suspend the rules to consider a resolution agreeing to terms and conditions in SEC-TV/Groton Memorandum of Understanding was made by Councilor Watson, seconded by Councilor Peruzzotti and so voted unanimously.

2013-0258 Resolution Agreeing to Terms and Conditions in SEC-TV/GROTON Memorandum of Understanding

RESOLUTION AGREEING TO TERMS AND CONDITIONS IN SEC-TV/GROTON MEMORANDUM OF UNDERSTANDING

WHEREAS, the Groton Town Council at its meeting on August 6, 2013 authorized the Town Manager to execute a Memorandum of Understanding (“Groton MOU”) with SEC-TV to resolve the separate applications SEC-TV and the Town of Groton had filed with and which are pending before the State of Connecticut Public Utilities Regulatory Authority (“PURA”) for designation as the Cable Access Provider (“CAP”) for the Groton cable system; and

WHEREAS, SEC-TV, Comcast, and TVC executed a separate Memorandum of Understanding that they have submitted to PURA for its approval; and

WHEREAS, SEC-TV and Groton have executed and submitted the Groton MOU to PURA for its approval; and

WHEREAS, PURA has issued a Draft Decision dated October 25, 2013 by which it proposes to resolve the competing CAP applications; and

WHEREAS, PURA's Draft Decision calls for each party to each MOU to state that it is in agreement with the substantive terms and conditions enumerated in the MOU to which it is a party; and

WHEREAS, paragraph B(5) of the Draft Decision thus calls for Groton, “[n]o later than November 15, 2013...[to] file a separate signed resolution stating that it is in agreement with the 22 terms and conditions enumerated in SEC-TV/Groton MOU”; and

WHEREAS, the Groton Town Council is in agreement with the 22 terms and conditions enumerated in the MOU; now therefore be it

RESOLVED by the Town Council of the Town of Groton that it is in agreement with the 22 terms and conditions enumerated in SEC-TV/Groton MOU.

A motion was made by Councilor Antipas, seconded by Councilor Morton, that this matter be Adopted.

Town Attorney Mike Carey stated that SEC-TV will be the community access provider for this service area and the Town of Groton will exclusively operate channels 2 and 19. The MOU needs to be ratified before its expiration date on November 15, 2013.

The motion carried unanimously

Results of FOI Request

Councilor Antipas stated that an FOI request was received from Mr. Ackley and Mr. Yuhas at the Town Council meeting on October 15, 2013, which asked for emails to and from certain parties within a defined timeframe. He, along with Mayor Somers, were chosen to review paper copies of the resulting emails. It was determined that there were no emails gathered through this request to support the allegation that an employee in the Town Manager's office was purposely subverting the Poquonnock Bridge Fire District board through the Town email system.

XII. ADJOURNMENT

A motion to adjourn at 8:40 p.m. was made by Councilor Watson, seconded by Councilor Peruzzotti and so voted unanimously.

Attest:

*Betsy Moukawsher, Town Clerk
Clerk of the Council*

Lori Watrous, Office Assistant