



# Town of Groton, Connecticut

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk (860)441-6640  
Town Manager  
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## Meeting Minutes - **Draft**

### Town Council

**Mayor Harry A. Watson, Councilors Peter J. Bartinik, Jr., Natalie Burfoot Billing, Heather Sherman Bond, Catherine Kolnaski, Frank O'Beirne, Jr., Paulann H. Sheets, Thomas J. Skrmetti, and Elissa T. Wright.**

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Tuesday, March 15, 2005

7:30 PM

Town Hall Annex - Community Room 1

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#### REGULAR MEETING

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#### I. ROLL CALL

*Mayor Watson called the meeting to order at 7:34 p.m.*

Members Present: Mayor Watson, Councilor Bartinik, Jr., Councilor Billing, Councilor Kolnaski, Councilor O'Beirne, Jr., Councilor Sheets, Councilor Skrmetti and Councilor Wright

Members Absent: Councilor Bond

#### II. SALUTE TO THE FLAG

*The salute to the flag was led by Town Clerk Barbara Tarbox.*

#### III. RECOGNITION, AWARDS & MEMORIALS

*None.*

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

*Richard Dixon, 15 Route 27, spoke regarding the ordinance on alcohol possession by minors. He feels that passing the ordinance would be a mistake. Mr. Dixon explained that he is an attorney who has practiced juvenile law. The Council should consider what is the purpose of the ordinance, what will it accomplish, and if it is balanced against the harm it will cause, as well as what are the unintended consequences. Mr. Dixon expressed concern with innocent children being charged and having criminal records, and the cost to parents to defend them. Mr. Dixon suggested that the law will have to be selectively applied, citing the Episcopal Church that serves communion wine to an underage person or a wedding reception where a champagne toast is served. There are a number of existing laws that would accomplish what this ordinance is attempting to address. Mr. Dixon submitted a copy of an article on this issue from the Mystic River Press.*

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

*Councilor O'Beirne asked if Mr. Dixon has considered the impact of the Juvenile Review Board that is being established in Groton. Mr. Dixon stated he is not familiar with the Board, but it could be an acceptable diversionary process to avoid the criminal level. He complimented the Groton Town Police Department on how they have handled these situations in the past.*

*Mayor Watson noted that the Committee of the Whole earlier in the evening voted in favor of passage of this item.*

*Councilor Kolnaski feels that the ordinance may save a child's life which is more important than any other consideration.*

#### VI. CONSENT CALENDAR

##### a. Approval of Minutes

**2005-0065 Approval of Minutes (Town Council)**

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council of March 1, 2005 are hereby accepted and

approved.

**This Matter was Adopted on the Consent Calendar.**

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

**c. Special Trust Fund Contributions**

**2005-0061 Special Trust Fund Contributions**

**RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS**

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

Mr. & Mrs. William Gibbs - \$100.00 - Library Discretionary

Various Donations - \$357.76 - Groton Utilities Energy Assistance Program

**This Matter was Adopted on the Consent Calendar.**

**Passed The Consent Calendar**

**A motion was made by Councilor O'Beirne, Jr., seconded by Councilor Kolnaski, to adopt the Consent Calendar, including all the preceding items marked as having been adopted on the Consent Calendar.**

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

**Votes:** In Favor: 5 - Mayor Watson, Councilor Bartinik, Jr., Councilor Billing, Councilor O'Beirne, Jr. and Councilor Wright

Abstain: 3 - Councilor Kolnaski, Councilor Sheets and Councilor Skrmetti

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

**a. Town Councilors**

*Councilor Sheets received an e-mail regarding the budget and maintaining services at the Library. She read in the newspaper that Town officials accompanied the State Archaeologist for a walk of the King property. She asked that she be kept informed of the plans for the remainder of the property and remediation of "hot spots" on the property. She asked about the appropriate time to invite DEP to participate in the project.*

*Councilors Skrmetti and Wright reported receiving the same communications as Councilor Sheets.*

*Councilor Kolnaski reported on the Board of Ed/Town Council/RTM Liaison Committee meeting. She participated in a book reading at Eastern Point School and attended a Ledge Light Health District Board meeting. Ledge Light's Annual Report is available.*

*Councilor O'Beirne received a call regarding the condition of Poquonnock Road from the underpass to the City line.*

*Mayor Watson attended a Parks and Recreation Committee meeting.*

*Just prior to this Town Council meeting, Mayor Watson returned from the National League of Cities Conference in Washington D.C. where he attended workshops on parliamentary procedure and Kelo vs. New London, and met with legislators on items contained in the legislative briefing.*

**b. Representative Town Meeting**

*The regular meeting of the RTM was cancelled. The Town Clerk met with the leadership of the RTM who established a schedule for May.*

**c. Clerk of the Council**

*The Town Clerk requested a referral to the Committee of the Whole to set the date for the RTM Annual Budget Meeting, and a referral to the Finance Committee for a historic document preservation grant.*

**2005-0059 Annual RTM Budget Meeting**

**2005-0070 Historic Documents Preservation Grant**

*The Clerk attended the annual FOI Conference today, and displayed a poster celebrating the 30th anniversary of the Freedom of Information Act.*

*She has received Scott Waring's resignation from the Parks and Recreation Commission.*

**d. Town Manager**

*The Budget Book was distributed earlier in the evening at the Committee of the Whole meeting, and additional copies will be available on Thursday. In addition, the budget will be posted on the Town's web page. The Town Manager provided a brief overview of the budget, noting an overall budget increase of 3.6% and a slight mill rate increase of .33 mills. The Budget Public Hearing will be held on March 29th at 7:00 p.m. at the Groton Senior Center.*

*At the April 26th Committee of the Whole meeting, the State Librarian will be in attendance to make a presentation to Alan Benkert.*

*The Town Manager mentioned a letter from the Library concerning National Library Week; an announcement from the Library about creating posters of local celebrities reading their favorite book; information on the Navy's acceptance of the land gift from the State of Connecticut for the shuttle dock at the Nautilus Memorial; a notice of the March 18th swearing-in/retirement ceremony for the Police Department, to be held at 11:00 a.m. at the Town Hall Annex; notice of the USS Connecticut Scholarship program; and a notice for the March 30th Senior Services Fair to be held from 10:00 a.m. to 2:00 p.m. at the Senior Center.*

*The joint meeting with the Shellfish Commission, Shellfish Task Force and Water Pollution Control Facility, as well as the presentation on the Sewer Bond Issue Request for Fort Hill sewers, have been scheduled for the March 22nd Committee of the Whole meeting.*

*Councilor Sheets noted that police dog Barney is also being recognized at Friday's ceremony.*

**e. Town Attorney**

*No report.*

*Councilor Skrmetti received a call from the Town Attorney regarding RTM member Genevieve Cerf serving on the Economic Strategic Plan Committee, and he has determined after reviewing the charter that her service on the committee is not a problem.*

**VIII. COMMITTEE REPORTS**

**a. Community & Cultural Development - Chairman Billing**

*No meeting. No report.*

**b. Economic Development - Chairman Bond**

*No meeting. No report.*

**c. Education/Health & Social Services - Chairman Kolnaski**

*No meeting. No report.*

**d. Environment & Recreation - Chairman Sheets**

*No meeting. No report.*

**e. Finance - Chairman Wright**

*No meeting. No report.*

**f. Personnel/Appointments/Rules - Chairman O'Beirne**

*No meeting. No report.*

**g. Public Safety - Chairman Skrmetti**

*No meeting. No report.*

**h. Public Works - Chairman Bartinik**

*No meeting. No report.*

**i. Committee of the Whole - Mayor Watson**

*The Committee of the Whole met earlier this evening, and will continue the meeting after the adjournment of the Council meeting.*

**IX. UNFINISHED BUSINESS**

**Reconsideration of the Consent Calendar on the March 1, 2005 Town Council agenda.**

*A Motion to Reconsider the Consent Calendar of March 1, 2005 was made by Councilor Wright, seconded by Councilor Billing.*

*The Vote on the Motion to Reconsider carried 7 votes in favor, 1 abstention (Councilor Kolnaski).*

*A Motion to Move the Consent Calendar was made by Councilor Billing, seconded by Councilor Wright.*

*A Motion to Amend the Consent Calendar was made by Councilor Wright, seconded by Councilor Bartinik, to remove the deletion of 2004-0325 Recognition of John Ledyard.*

*The Vote on the Motion to Amend passed 7 votes in favor, 1 opposed (Councilor O'Beirne).*

*The Vote on the Motion to adopt the Consent Calendar as amended, passed 7 votes in favor, 1 abstention (Councilor Kolnaski).*

**2005-0053 Approval of Minutes (Town Council)**

**RESOLUTION ACCEPTING TOWN COUNCIL MINUTES**

RESOLVED, that the minutes of the Town Council of February 15, 2005 are hereby accepted and approved.

**Adopted**

**Deletions from the Town Council Referral List**

**1997-0006 Passive Recreation**

Deleted from Referral List - No further action

**2001-0272 Open Space Discussion with Conservation Commission**

Deleted from Referral List - No further action

**2003-0067 Establishment of Open Space Land Acquisition Fund**

Deleted from Referral List - No further action

**2005-0048 Special Trust Fund Contributions**

**RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS**

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

Mystic Marriott and Spa - \$250.00 - Police Discretionary

Various Donations - \$350.00 - Groton Utilities Energy Assistance Program

City of Groton - \$488.26 - Groton Utilities Energy Assistance Program

**Adopted**

**2003-0077 Bluff Point Management Proposal**

Deleted from Referral List - No further action

**2003-0203 Review of Board of Assessment Appeals (BAA) Deliberations**

Deleted from Referral List - No further action

**2003-0226 Council Policy in Regards to Responding to Citizens' Petitions**

Deleted from Referral List - No further action

- 2004-0005      **Revised Position Descriptions (2004 Standing Referral)**  
Deleted from Referral List - No further action
- 2004-0006      **2004 Unaffiliated and Other Appointments (Standing Referral)**  
Deleted from Referral List - No further action
- 2004-0007      **2004 Republican Town Committee Appointments (Standing Referral)**  
Deleted from Referral List - No further action
- 2004-0008      **2004 Democratic Town Committee Appointments (Standing Referral)**  
Deleted from Referral List - No further action
- 2004-0096      **Future Polling Locations**  
Deleted from Referral List - No further action
- 2004-0217      **Bulky Waste Permits**  
Deleted from Referral List - No further action
- 2004-0326      **Appropriateness of Individual Councilors Evaluating the Town Manager in Public**  
Deleted from Referral List - No further action
- 2005-0011      **Regional Hazard Mitigation Plan**  
Deleted from Referral List - No further action
- 2005-0040      **Fitch Chamber Choir Carnegie Hall Trip - Donation Request**  
Deleted from Referral List - No further action
- 2005-0050      **Assistance in Open Space Funding**  
Deleted from Referral List - No further action
- 2005-0051      **Setting Public Hearing Date on FYE06 Proposed Budget**  
Deleted from Referral List - Action to be taken

#### Referral Requests

*Councilor Wright stated that in recognition of the possible future requirement that all referral requests be accompanied by a brief written statement of the intent of the referral, she prepared and read a statement regarding Referral 2004-0325 Recognition of John Ledyard.*

*Councilor O'Beirne expressed a procedural concern because the referral will be sent back to the same Committee that voted to delete it, so he suggested that the referral be sent to the Committee of the Whole.*

*Councilor Billing noted that she had spoken to Carol Kimball regarding this issue and Mrs. Kimball's recommendations were shared with the Council. Councilor Billing has asked for a cost estimate from the Purchasing Division for a plaque.*

#### X. NEW BUSINESS

*Councilor O'Beirne noted that the Rules Committee will be considering two revisions to the Rules. One involves the situation where an item is approved by a majority of the Committee of the Whole, but due to absences it is defeated at the Town Council. The Committee will consider a change where if there are at least five positive votes in the Committee of the Whole, the only appropriate action by the Town Council would be a motion to defeat, and if that doesn't happen, it would be deemed to pass.*

#### XI. OTHER BUSINESS

*None.*

**XII. ADJOURNMENT**

*A motion was made by Councilor Kolnaski, seconded by Councilor O'Beirne, to adjourn the meeting at 8:21 p.m.*

*The motion carried unanimously.*