



Town of Groton, Connecticut

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

Meeting Minutes

Representative Town Meeting

Moderator Rita Schmidt

Representatives Joe Baril, Tom Barnhart, Lori Bartinik, Alicia Bauer, Genevieve Cerf, Michael Collins, Syma Ebbin, George Edwards Jr, Peter Fairbank, Robert Garcia, Patrice Granatosky, Dolores Harrell, Debra Jenkins, Carole McCarthy, Kevin McMahon, Richard Metayer, David Miner, Deborah Monteiro, James Moulding, Scott Newsome, Nora Patterson, Deborah Peruzzotti, Joy Plunket, Robert Post, Kevin Power, Don Pratt, Mary-Ellen Schefers, Eleanor Scussel, Jack Sebastian, Jennifer Smuts, Eleanor Steere, Fritz Stein, Joan Steinfeld, Irma Streeter, Mark Svencer, Patti Thunberg, Cheryl Tilney, Tom Vivirito, Robert Walker Sr, and John Wheeler.

Wednesday, December 14, 2005

7:30 PM

Senior Center

Regular Meeting

A. ROLL CALL

*Town Clerk Barbara Tarbox called the meeting to order at 7:30 p.m.
34 members were present and a quorum was declared.*

Members Present: Moderator Schmidt, Rep. Baril, Rep. Barnhart, Rep. Collins, Rep. Ebbin, Rep. Fairbank, Rep. Garcia, Rep. Granatosky, Rep. Harrell, Rep. Jenkins, Rep. McCarthy, Rep. McMahon, Rep. Metayer, Rep. Miner, Rep. Monteiro, Rep. Moulding, Rep. Patterson, Rep. Peruzzotti, Rep. Plunket, Rep. Post, Rep. Power, Rep. Pratt, Rep. Schefers, Rep. Scussel, Rep. Smuts, Rep. Stein, Rep. Steinfeld, Rep. Streeter, Rep. Svencer, Rep. Thunberg, Rep. Tilney, Rep. Vivirito, Rep. Walker, Sr. and Rep. Wheeler, Jr.
Members Absent: Rep. Bartinik, Rep. Bauer, Rep. Cerf, Rep. Edwards, Jr., Rep. Newsome, Rep. Sebastian and Rep. Steere

Also present were Town Manager Mark Oefinger, Assistant to the Town Manager Lee Vincent, School Superintendent Dr. James Mitchell, Planning Director Mike Murphy, former Representatives Morton, Dowling, DeMatto, and Weil, former Moderator Dunbar-Rose, Town Clerk Barbara Tarbox and Assistant Town Clerk Sally Whitney.

*The Town Clerk read a resignation letter for the position of Moderator submitted by Rep. Pratt.
The Town Clerk welcomed Rep. Montiero to the RTM filling a vacancy in District Five.*

B. MOMENT OF SILENCE AND SALUTE TO THE FLAG

The members observed a moment of silence followed by the Salute to the Flag.

Election of Moderator

The Town Clerk opened the floor to nominations for Moderator.

Rep. Kevin Power was nominated by Rep. Vivirito.

Rep. Rita Schmidt was nominated by Rep. Granatosky.

There being no further nominations, the Town Clerk declared nominations closed.

The vote for the office of Moderator was 21 for Rep. Schmidt, 13 for Rep. Power. (Voting for Rep. Schmidt were Reps. Baril, Collins, Ebbin, Fairbank, Garcia, Granatosky, Harrell, McCarthy, McMahon, Metayer, Miner, Patterson, Plunket, Post, Pratt, Schefers, Schmidt, Stein, Svencer, Tilney, and Wheeler. Voting for Rep. Power were Reps. Barnhart, Jenkins, Monteiro, Moulding, Peruzzotti, Power, Scussel, Smuts, Steinfeld, Streeter, Thunberg, Vivirito, and Walker.)

Oath of Office and presentation of gavel to Moderator.

Town Clerk Tarbox administered the oath of office and presented the gavel to Moderator Rita Schmidt. A brief recess was taken so that the Moderator could review correspondence and the meeting resumed at 7:42 p.m.

C. PRESENTATION OF CERTIFICATES OF APPRECIATION

Moderator Rita Schmidt presented certificates of appreciation to former Moderator Shirley Dunbar-Rose, and former Representatives Susan Dowling, Matthew Morton, Luanne DeMatto, Elizabeth Weil, and Deb Montiero. Accepting for Darcy Peruzotti was Rep. Deb Peruzotti. Not present to accept were: former Representatives Jeffrey Armstrong, Joseph delaCruz, Georg Swift, John Nugent, Barbara Hoelck, Nancy Mitchell, and Wayne Chiapperini.

D. APPROVAL OF MINUTES OF NOVEMBER 16, 2005

A motion that the minutes be adopted was made by Rep. Vivirito, seconded by Rep. Miner. The motion carried 33 in favor, 1 abstention (Abstaining: Rep. Monteiro). Rep. Smuts left at this time.

E. CITIZENS' PETITIONS

None.

F. RECEPTION OF COMMUNICATIONS

Moderator Schmidt reported that Rep. Bauer is ill, and that Reps. Sebastian and Cerf are unable to attend.

The Moderator stated that a letter had been received from William Cannon, and that anyone wishing to review it is free to contact her.

2005-0291 Contingency Transfer - BAN/Bond Costs

This matter was Referred to the RTM Finance Committee, due back on January 11, 2006. The motion carried.

2005-0292 Contingency Transfer - Increased Fuel Costs

This matter was Referred to the RTM Finance Committee, due back on January 11, 2006. The motion carried.

1. Education Overview - Dr. James Mitchell, Superintendent of Schools

Dr. Mitchell stated that the Connecticut Mastery Test (CMT) for grades 3-8 and Connecticut Academic Performance (AP) test for Grade 10 will be administered in the spring rather than the fall for the first time this year.

He recognized the teachers in our school system that recently received prestigious national awards. He stated that the percentage of students continuing onto higher education continues to grow. He stressed the importance and value of the volunteer hours spent in the schools by parents and residents. He believes that without these volunteers, education for the students would be negatively affected. He suggested that anyone is welcome to volunteer by reading to a child, being a mentor, or just volunteering in a school and he noted that any of these opportunities will further the education of a Groton student.

He stated that enrollment continues to decline and he expects a drop of 49 students next school year. He reported that the facility changes will lead to improved, more efficient staffing in the future.

In response to Rep. Ebbin, Dr. Mitchell stated that a geo-thermal heating system had not been considered. He said measures have been instituted this year in all schools to constrain fuel costs and that the Board of Education is on target for the current budget year. He addressed her concern about a grade school science curriculum, stating that it is being developed.

In response to Rep. Thunberg, Dr. Mitchell estimated that thirty to forty students are in the IB program and several hundred students take the AP exam each year.

Rep. Moulding commented that a good education is available to students, citing his own two children, and that it is unfortunate that the yearly mandated testing is unfunded by the State.

Dr. Mitchell said he is currently working on the budget and plans to present a three-session overview beginning in late January and finishing the first week in February. He will provide the dates to the RTM and invites anyone to attend and welcomes any input.

In response to Rep. Jenkins, he stated that the School Design Committee will have an extensive

update presentation at the Town Hall Annex on December 15 at 7:00 p.m.

G. REPORT OF THE TOWN MANAGER:

1. Financial report

Mr. Vincent reported that the Fund Balance as of July 1, 2005 is approximately \$9.1 million; the General Contingency balance will be \$38,560 subsequent to the recently approved transfers by the Council if the two referrals to the RTM tonight are approved in January; the Capital Reserve fund is at \$3,287,637 showing an increase from \$3,193,615 due to interest earned.

Mr. Vincent enlightened the new RTM members about the budget meeting schedule and the impact on the RTM during the month of May.

2. Monthly briefing

The Town Manager commented that all members should read the Town Charter requirements on the budget calendar for FYE 2007 which is attached to the Town Manager's News that was distributed this evening. He announced that he will be presenting two budget scenarios as requested by the Town Council at the Committee of the Whole on January 10, 2006. The Council has requested scenerios for a zero percent increase budget and a 5% reduction budget.

He stated that the Town and Board of Education have decided jointly to participate in the law suit for Justice in Education Funding. He stated it is the hope of all parties involved to receive more State reimbursement and that State funding for education be distributed fairly to each municipality. He reported that funding and reimbursement has been steadily declining each year. The Town Manager reported that a successful United Way Fund Drive chaired by Planning Director Mike Murphy was completed in November. Town employees are to be commended for a 6% increase in giving.

In response to Rep. Walker, Mr. Oefinger stated that a referral has been made to the Town Council concerning the State's new voting machine legislation. He stated that he is diligently watching this issue and that he has grave concerns about replacing all current voting machines.

H. LIAISON REPORTS

1. Town Council

No report.

2. Economic Development Commission

No report.

3. Town Council/Board of Education Liaison Committee

No report.

4. Permanent School Building Committee

No report.

5. P.B.F.D. Consolidation Review Committee

No report.

6. Economic Development Strategic Planning Steering Ctee

No report.

7. Shellfish Task Force

No report.

I. COMMITTEE REPORTS

1. FINANCE

a. Chairman's notes of the business of the Town

No meeting, no report.

2. COMMUNITY & ECONOMIC DEVELOPMENT

a. Chairman's notes of the business of the Town - Chairman Vivirito

Chairman Vivirito read the minutes from the meeting held on December 7, 2005. (See attached minutes.)

A motion to accept the minutes was made by Rep. Vivirito, seconded by Rep. Baril and so voted unanimously.

2005-0251 Release of State Land - Route 117/Candlewood Road

RESOLUTION IN ACCEPTANCE OF A PARCEL OF LAND TO BE CONVEYED FOR HIGHWAY PURPOSES BY THE STATE OF CONNECTICUT

WHEREAS, a small parcel of land at the intersection of Town-owned Candlewood Road and State Highway 117 is owned by the state, and

WHEREAS, the ideal alignment of Candlewood Road at that intersection includes a radius crossing the state-owned land, now therefore be it

RESOLVED, that the Town Manager may accept a Quit Claim deed from the State of Connecticut for the conveyance of a parcel containing 373 square feet, more or less, on the easterly side of Connecticut Route 117 at Candlewood Road, and the Town Manager may execute such documents and assurances in favor of the State of Connecticut as the state may require for the effectuation of this conveyance.

Refer to RTM

A motion was made by Rep. Vivirito, seconded by Rep. Stein, that this matter be Adopted.

The motion carried unanimously.

2005-0267 Acceptance of Open Space at Way Subdivision

RESOLUTION ACCEPTING OPEN SPACE AT WAY SUBDIVISION

WHEREAS, the Way Subdivision, Pequot Avenue was approved on August 6, 2001, and

WHEREAS, the Groton Planning Commission on September 13, 2005 recommended acceptance of three parcels of open space in the Way Subdivision for park, open space, and recreational purposes, now therefore be it

RESOLVED, that the Town of Groton accepts the three parcels of open space designated on the Way Subdivision plan, and that this matter be referred to the Representative Town Meeting.

A motion was made by Rep. Vivirito, seconded by Rep. Walker, Sr., that this matter be Adopted.

The motion carried unanimously.

2005-0169 Donation of Land (Poirier)

RESOLUTION ACCEPTING A DONATION OF LAND

WHEREAS, Ernest Poirier has offered to donate a parcel of land on Island Avenue to the Town of Groton, and

WHEREAS, the subject property, consisting of .214 acres, borders the Town of Groton's Shennecossett Golf Course as well as other Town property, and

WHEREAS, the Groton Planning Commission has considered the property under its authority provided in Section 8-24 of the Connecticut General Statutes, and

WHEREAS, the Planning Commission finds that acquisition of this property would be beneficial

as an addition to the buffer between the golf course and the existing residences nearby, now therefore be it

RESOLVED, that the Town Council agrees to accept, with gratitude, the donation of the Poirier property of 0.214 acres, more or less, on Island Avenue.

Refer to RTM.

A motion was made by Rep. Vivirito, seconded by Rep. Fairbank, that this matter be Adopted.

Moderator Schmidt expressed thanks to Mr. & Mrs. Poirier on behalf of the Town and RTM for the land donation.

The motion carried unanimously.

3. EDUCATION

a. Chairman's notes of the business of the Town

No meeting, no report.

4. HEALTH & SOCIAL SERVICES

a. Chairman's notes of the business of the Town - Chairman Stein

Chairman Stein read the minutes of the meeting held on December 5, 2005.

A motion to accept the minutes was made by Rep. Stein, seconded by Rep. Walker and so voted unanimously.

2005-0075

Adoption of an Ordinance Regarding Alcohol Possession by Minors

ADOPTION OF AN ORDINANCE REGARDING ALCOHOL POSSESSION BY MINORS

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

SECTION 1: FINDINGS

1. The possession and consumption of alcoholic liquor by minors is a matter of a growing local, regional, and national concern.
2. Consumption of alcoholic liquor by minors unsupervised by parental authority creates a health and safety risk not only to our children but also to the general public.
3. The Town of Groton seeks to protect, preserve and promote the health, safety, welfare, and quality of life of its residents by regulating the possession of alcohol by minors.

SECTION 2: PURPOSE

To regulate the possession of alcoholic beverages by minors on both public and private property.

SECTION 3: DEFINITIONS

ALCHOLIC LIQUOR-shall have the same meaning as the same term defined in Title 30, Section 30-1 of the Connecticut General Statutes, as amended from time to time.

HOST-To organize a gathering of two or more persons, or to allow the premises under one's control to be used with one's knowledge, for a gathering of two or more persons for personal, social, or business interaction at which the host knows or should know that alcohol is consumed by a minor or minors.

MINOR-Any natural person under the age of twenty-one (21) years old.

PERSON-Any natural person, firm, partnership, association, syndicate, company, trust, corporation, limited-liability company, municipality, agency, or political or administrative subdivision of the state or other legal entity of any kind.

SECTION 4: POSSESSION

No minor under the age of twenty-one (21) shall be in possession within the Town of Groton of a container, whether open or closed, which contains alcoholic liquor, except when accompanied by or in the presence of his or her parent, legal guardian, or spouse, who has attained the age of twenty-one (21) years. This restriction shall apply to both public and private property.

SECTION 5: HOSTING EVENTS

No person shall host an event or gathering at which the host knows or should know that alcohol is consumed by or dispensed to any minor unless said minor is accompanied by or in the presence of his or her parent, guardian, or spouse who has attained the age of twenty-one (21). This restriction shall apply to any event or gathering within the Town of Groton, whether conducted on public or private property.

SECTION 6: EXCEPTIONS

The provisions of Sections 4 and 5 of this ordinance shall not apply to the following:

1. A minor who possesses alcoholic liquor on the order of a practicing physician or any person who sells, ships, delivers or gives any alcoholic liquors to a minor on the order of a practicing physician.
2. A natural person over the age of eighteen (18) who is an employee or permit holder under Section 30-90a of the Connecticut General Statutes and who possesses alcoholic liquor in the course of such natural person's employment or business or in the course of a sale, shipment, or delivery of alcoholic liquor made to a person over age eighteen (18) who is an employee or permit holder under Section 30-90a of the Connecticut General Statutes and where such sale, shipment, or delivery is made in the course of such person's employment or business.
3. Provided that neither subsection of this Section 6 shall be applied or be construed to apply to violations of Section 4-2 and 4-3 of the Groton Code of Ordinances.

SECTION 7: PENALTIES

Any person violating any provision of this article shall be subject to a fine of \$95.00.

This ordinance shall become effective on the forty-fourth (44th) day after publication of notice of its passage pursuant to Charter Section 4.6.1.

(REFER TO THE RTM)

Not Vetoed

5. RECREATION

a. Chairman's notes of the business of the Town

No meeting, no report.

6. PUBLIC SAFETY

a. Chairman's notes of the business of the Town

No meeting, no report.

7. PUBLIC WORKS

a. Chairman's notes of the business of the Town

No meeting, no report.

8. RULES & PROCEDURES

a. Chairman's notes of the business of the Town - Chairman Granatosky

Chairman Granatosky read the minutes of the meeting held on December 14, 2005. (See attached minutes.)

Chairman Granatosky informed all members that a revised copy of the rules with the proposed changes indicated will be distributed with the next RTM packet and voted on at the January 11, 2005 meeting.

A motion to accept the minutes was made by Rep. Granatosky, seconded by Rep. Miner and so voted unanimously.

J. OTHER BUSINESS

Moderator Schmidt requested that persons who want to serve as liaisons please contact her as soon as possible.

Rep. Granatosky requested that the Town Manager set up a joint meeting of the Town Council, RTM Chairpersons and RTM Floor Leaders to discuss the expectations for and direction of the upcoming budget process.

K. ADJOURNMENT

A motion to adjourn at 8:50 p.m. was made by Rep. Miner, seconded by Rep. Garcia and so voted unanimously.

Attest:

*Barbara Tarbox, Town Clerk
Clerk of the RTM*

Sally A. Whitney, Assistant Town Clerk