



Town of Groton, Connecticut

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Meeting Minutes

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.

Tuesday, September 20, 2005

7:30 PM

Town Hall Annex - Community Room

REGULAR MEETING

I. ROLL CALL

The meeting was called to order at 7:30 p.m. by Mayor Harry Watson.

Also present were Town Manager Mark Oefinger, Assistant to the Town Manager Lee Vincent, Town Clerk Barbara Tarbox, and Office Assistant Elga Concepcion.

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

II. SALUTE TO THE FLAG

The Salute to the Flag was led by Councilor Skrmetti.

III. RECOGNITION, AWARDS & MEMORIALS

2005-0236 Proclamation Recognizing the Connecticut AIDS Bike Tour 2005

Read

Mayor Watson read the proclamation at the Alliance for Living Center in New London on September 16.

IV. CITIZENS' PETITIONS, COMMENTS AND CONCERNS

Priscilla Pratt, 45 Pearl Street, a resident of Noank and the President of the Groton Open Space Association (GOSA), read a letter she is sending to David Stygar of the Department of Environmental Protection (DEP). This correspondence reflects GOSA's concern over construction of temporary parking on the Merritt property.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

Responding to Ms. Pratt's letter, Councilor Skrmetti wanted to clarify to the public that the Town Council is not in violation of the deed pertaining to the Merritt Farm which was set aside for open space, conservation, and recreation purposes.

VI. CONSENT CALENDAR

The Town Clerk noted that the Town Council received an attachment to this evening's agenda which serves as a notice of a proposed Town Council rule change and will appear as a resolution on the next Town Council agenda.

a. Approval of Minutes - None

b. Deletions from the Town Council Referral List

2005-0012 Sister Cities International

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

2005-0071 Burnett's Corners

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

2005-0203 CGS 8-24 Referral to Planning Commission of Ordinance for Fort Hill Homes Sewer Rehabilitation Project

- This Matter was Deleted from Referral List - No further action on the Consent Calendar.
- 2005-0240 **Ryka Women's Fitness Grant**
- This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2005-0248 **Merritt Property - Construction of Temporary Parking**
- This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2005-0250 **Fund Transfer - Military Highway Retaining Walls**
- This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2005-0258 **Appointment of Richard McCarthy to the Parks and Recreation Commission**
- This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2005-0259 **Appointment of Frank O'Beirne to Southeastern Connecticut Water Authority Advisory Board**
- This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.
- 2005-0260 **Appointment of Mary Lou Smith to Southeastern Connecticut Water Authority Advisory Board**
- 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 Kolnaski, seconded by Councilor Skrmetti, 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

Councilor Bartinik attended meetings with the Teacher's Union and the Board of Education which occur on Wednesday evenings.

Councilor Wright viewed the new lantern for the Avery Point lighthouse which will be transported on September 22 from the West Mystic Wooden Boat Company. She noted that there will be a militia drill at the Jabez Smith House on September 25. Councilor Wright has also drafted a code of ethics so that the Town Council can establish specific standards of conduct for public officials and Town employees.

Councilor Kolnaski attended a meeting of the Ledge Light Health District Board of Directors and a meeting of the Permanent School Building Committee on September 8. She also attended a presentation of the Connecticut MetroPatterns on September 12 and the tree-planting ceremony at West Side Middle School on September 13. Councilor Kolnaski attended the Citizenship Day Recognition event and committee meetings. She noted that the Board of Education Liaison Committee will be meeting this Thursday evening, instead of Wednesday, due to negotiations.

All Councilors received communications opposing the use of the Merritt property as a parking lot for Fitch High School.

Councilor Billing attended the presentation of the Connecticut MetroPatterns on September 12 and Citizenship Day on September 19.

2005-0262 **Possibility of Groton Joining Connecticut Coalition for Justice in Education Funding**

POSSIBILITY OF GROTON JOINING CONNECTICUT COALITION FOR JUSTICE IN EDUCATION FUNDING

Referred

joining the Connecticut Coalition for Justice in Education Funding.

Councilor Billing reminded the public that any individuals or businesses wishing to assist the hurricane victims who have already relocated to the State may do so by calling the 2-1-1 Infoline.

Councilor Sheets attended the tree-planting ceremony at West Side Middle School and the presentation of the Connecticut MetroPatterns on September 12. Councilor Sheets attended a public hearing of the Office of Policy and Management on September 15. She also received a call from Joan Smith regarding the Merritt Farm property and noted its exclusion from the Parks and Recreation brochure.

Mayor Watson is still trying to communicate with Mayor Holloway of Biloxi, Mississippi via telephone. He met with Roger Chatell, the Mohegan District Boy Scout leader, who has concerns about how information is being disseminated in the school systems for prospective Boy Scouts. The Mayor noted that the torn flag at Poquonnock Plains Park was replaced with a new flag. Mayor Watson attended the unveiling of the "We Did It!" sign outside the Sub Base on September 9 and Family Day at Poquonnock Plains Park on September 10. He attended the tree-planting ceremony at West Side Middle School and the presentation of the Connecticut MetroPatterns on September 12. Mayor Watson met with the Town Manager, Jane Dauphinais, from the Office of Congressman Simmons, and Bud Fay, a member of the Sub Base Realignment Coalition, to discuss the October 2 celebration at the USS Nautilus Memorial/Submarine Force Museum. The Mayor met with Sam Crowley, Director of Ledge Light Health District, to discuss being a panelist at the Connecticut Public Health Association convention on October 21. He attended Citizenship Day, as well as a Girl Scout meeting in New London to acquire more volunteers.

b. Representative Town Meeting

Town Clerk Barbara Tarbox noted that the RTM will meet on October 12.

c. Clerk of the Council

Town Clerk Tarbox noted that her office issued a license to a new adult entertainment business on Route 12. Citizenship Day was successful and she apologized for the invitations being received in an untimely fashion even though they were mailed out on September 1. She also noted that the explanatory text for the bond referendum on the ballot for November has been approved by the Town Attorney and is in the process of being finalized to go to the printer. Copies of this text will be available when the absentee ballots go out on October 7. The Town Clerk will be giving the oath of office to police officers, and attending the Fall Connecticut Town Clerk's Association Conference on September 22. She reminded viewers that civil unions will be legal as of October 1, 2005 and that the process for obtaining a civil union license will be similar to that of a marriage license.

d. Town Manager

The Town Manager noted that Pleasant Valley Road and surrounding Navy housing property experienced flooding on September 15 due to the heavy rain. He also pointed out the extensive construction being done on Pleasant Valley Road and improvements made at Pleasant Valley Elementary School. He reported that two Fitch High School students were involved in a fight. The Town Manager reminded viewers of the police swearing-in ceremony tomorrow at the Town Hall Annex.

2005-0230 225th Anniversary of the Battle of Fort Griswold

225TH ANNIVERSARY OF THE BATTLE OF FORT GRISWOLD

Mr. Oefinger asked whether the Town Council would support additional funding for this item in the amount of approximately \$25,000 to be included in the FY2007 budget. (This item has been referred to the Committee of the Whole.)

e. Town Attorney

No report.

VIII. COMMITTEE REPORTS**a. Community & Cultural Development - Chairman Billing**

Chairman Billing read the minutes of the meeting held on September 13, 2005 which are on file in the Town Clerk's office.

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

Chairman Wright read the minutes of the meeting held on September 13, 2005 which are on file in the Town Clerk's office.

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

Acting Chairman Billing read the minutes of the meeting held on September 13, 2005 which are on file in the Town Clerk's office.

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 last meeting was on September 13, 2005.

IX. UNFINISHED BUSINESS

None.

X. NEW BUSINESS**2005-0240 Ryka Women's Fitness Grant**

RESOLUTION APPROVING A GRANT APPLICATION FOR A RYKA WOMEN'S FITNESS GRANT

WHEREAS, over the past 25 years, fitness programming at the Groton Senior Center has expanded, and class participation has increased significantly, and

WHEREAS, the Groton Senior Center plans to offer a new program called Women In Fitness and Exercise, in both day and evening sessions, and

WHEREAS, experience in previous group support meetings has shown that many women were not encouraged to exercise over their lifetimes, yet there are proven benefits to an exercise program that can be commenced at any age, now therefore be it

RESOLVED, that the Town Manager may apply for a grant of \$5,000 from Ryka, Inc., and the Women's Sports Foundation.

A motion was made by Councilor Wright, seconded by Councilor Kolnaski, that this matter be Adopted.

The motion carried unanimously.

2005-0248 Merritt Property - Construction of Temporary Parking

MERRITT PROPERTY

WHEREAS, the Town's project for major renovation and new construction at Fitch High School will soon require allocation of space for vehicular and pedestrian circulation, parking, logistics, laydown and storage areas along with safety zone areas, and

WHEREAS, the Permanent School Building Committee, following advice from its consultant, has recommended the use of a portion of the adjoining Merritt Property for temporary parking spaces for the duration of the construction project, and

WHEREAS, the Merritt Property was purchased by the Town of Groton using local open space and recreation funds and an open space grant from the State of Connecticut Department of Environmental Protection, now therefore be it

RESOLVED, that the Town Manager may submit appropriate documentation with a request for the approval of the Commissioner of the Department of Environmental Protection to use a portion of the Merritt Property for temporary parking for a specified period of time, and may execute all related documents and assurances on behalf of the Town.

A motion was made by Councilor Bartinik, Jr., seconded by Councilor Kolnaski, that this matter be Adopted.

Councilor Sheets feels that the Town Council has not explored other alternatives for parking at Fitch High School and will vote against the resolution to utilize the Merritt property for temporary parking.

Councilor Wright noted that use of the Merritt property for any use other than open space, conservation and recreation purposes specified in the 1988 bond ordinance would be a clear violation of the restrictions in that referendum. She asked the Town Manager if the Town Attorney was consulted regarding the use of the Merritt Farm parcel for any use related to the Fitch High School project.

In response to Councilor Wright's inquiry, Assistant to the Town Manager Lee Vincent noted that the Town Attorney's office did not object to the Town's request for the approval of the Commissioner of the DEP to use a portion of the Merritt Property for temporary parking.

Councilor Skrmetti noted that a temporary parking lot at Fitch High School would not be paved, but some type of permeable surface. He toured the Merritt property with a member of the Board of Education and feels that the impact would be minimal.

Councilor Bond asked the Town Manager if the Town would incur a cost to submit an application to the DEP. The Town Manager responded that there was no application cost to the Town and clarified that there are no other parking alternatives at the Fitch High School site.

Councilor Billing reminded everyone that the Merritt Farm is comprised of 35 acres, of which 25 acres were purchased for Open Space. It was noted in the Explanatory Text of the Referendum that ten acres were purchased to create athletic fields at Fitch High School. The current proposal is the use of one to two acres for one to two years for school construction purposes, before the ten acres become athletic fields. At the end of this time period, if the Town doesn't fund the construction of the athletic fields, then that area will return to its current grassland condition.

Councilor Bartinik noted that, in the future, the Town Council will need to properly manage the true legal effect of these types of deeds which do allow for exceptions.

The motion carried by the following vote:

Votes: In Favor: 7 - Mayor Watson, Councilor Bartinik, Jr., Councilor Billing, Councilor Bond, Councilor Kolnaski, Councilor O'Beirne, Jr. and Councilor Skrmetti
Opposed: 2 - Councilor Sheets and Councilor Wright

2005-0250 Fund Transfer - Military Highway Retaining Walls

RESOLUTION AUTHORIZING A TRANSFER OF FUNDS FOR MILITARY HIGHWAY
RETAINING WALLS

WHEREAS, the Town Department of Public Works found that the retaining walls on Military Highway are failing and has solicited bids for their repair and replacement, and

WHEREAS, the lowest of three bids (\$219,430) for the project exceeds the amount of \$210,000 that was appropriated in the FYE 2005 capital improvement budget, and

WHEREAS, funds are available from a completed FYE 2004 project concerning the ventilation in Town Hall Annex, now therefore be it

RESOLVED, that the Town Council approves the transfer of \$15,000 from the FYE 2004 CIP account number 50103.5579, titled "Major Mechanical Replacements, Various Buildings," to a new FYE 2004 Capital Improvement Project titled "Retaining Wall Replacement, Military Highway."

Refer to RTM, Rule 6.5.3

A motion was made by Councilor Bond, seconded by Councilor Billing, that this matter be Adopted and referred under Rule 6.5.3 to the Representative Town Meeting, due back on October 12, 2005.

The motion carried unanimously.

2005-0258 Appointment of Richard McCarthy to the Parks and Recreation Commission

RESOLUTION APPOINTING RICHARD MCCARTHY TO THE PARKS AND RECREATION
COMMISSION

RESOLVED, that Richard J. McCarthy, 150 Bayview Avenue, Mystic, is appointed as a member of the Parks and Recreation Commission for a term expiring 12/31/05.

A motion was made by Councilor Kolnaski, seconded by Councilor Billing, that this matter be Adopted.

The motion carried unanimously.

2005-0259 Appointment of Frank O'Beirne to Southeastern Connecticut Water Authority Advisory Board

RESOLUTION APPOINTING FRANK O'BEIRNE TO THE SOUTHEASTERN
CONNECTICUT WATER AUTHORITY ADVISORY BOARD

RESOLVED, that Frank O'Beirne, Jr., 32 New London Road, Mystic is hereby appointed to the Southeastern Connecticut Water Authority Advisory Board for a term expiring 9/1/07.

A motion was made by Councilor Billing, seconded by Councilor Kolnaski, that this matter be Adopted.

The Town Manager noted this is actually a reappointment.

The motion carried unanimously.

2005-0260 Appointment of Mary Lou Smith to Southeastern Connecticut Water Authority Advisory Board

RESOLUTION REAPPOINTING MARY LOU SMITH TO THE SOUTHEASTERN
CONNECTICUT WATER AUTHORITY ADVISORY BOARD

RESOLVED, that Mary Lou Smith, 326 Judson Avenue, Mystic is hereby reappointed to the Southeastern Connecticut Water Authority Advisory Board for a term expiring 09/01/07.

A motion was made by Councilor Billing, seconded by Councilor Kolnaski, that this matter be Adopted.

The motion carried unanimously.

XI. OTHER BUSINESS

Suspension of the Rules

The Town Manager noted that he wanted the Town Council's concurrence to spend the Town's money for the October 2 celebration at the Nautilus museum.

A motion was made by Councilor Kolnaski, seconded by Councilor Billing to suspend the rules to consider this matter.

The motion carried unanimously.

2005-0264 Appropriation of Funds for Sub Base Celebration

RESOLUTION APPROPRIATING FUNDS FOR SUB BASE CELEBRATION

Resolved, that the Town Council appropriates \$3,000 from the Town's current year budget to be used in support of the October 2, 2005 event celebrating the decision of the Base Realignment and Closure Commission to keep open the Submarine Base in Groton.

A motion was made by Councilor Billing, seconded by Councilor Kolnaski, that this matter be Adopted.

\$3000 from the Town's current budget will be appropriated for the October 2 celebration recognizing the fact that the Sub Base will remain open.

The motion carried unanimously.

2005-0257 Council Rules Recommended Change

The Town Clerk noted that the attachment included with this meeting's agenda served as a notice of the proposed change in Rule 3 and also noted a typographical error in the order of lettered bullets.

Councilor Wright inquired if there was a plaque on the Merritt property acknowledging state funding assistance; she feels that it would be appropriate that the property be included in the Parks and Recreation brochure. The Town Manager will look into these matters.

Councilor Bartinik requested that the Town Manager provide an update on the Neighborhood Revitalization Zone (NRZ) program and the standards concerning property maintenance.

Mayor Watson reminded the Town Council that he had distributed packets regarding the Town Manager's evaluation and these need to be returned to him by September 23.

2005-0263 Town Clerk Compensation

TOWN CLERK COMPENSATION

This item was referred to the Committee of the Whole.

Councilor Bond inquired if a bond attorney could be consulted with reference to the Merritt Property issue.

The Town Manager responded that a bond attorney would need to defer to the Town Attorney.

XII. ADJOURNMENT

A motion to adjourn at 9:14 p.m. was made by Councilor Billing, seconded by Councilor Sheets and so voted unanimously.

Attest:

*Barbara Tarbox, Town Clerk
Clerk of the Council*

*Elga Concepcion
Office Assistant*