



Town of Groton, Connecticut

Meeting Agenda

Town Council

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

Mayor James L. Streeeter, Councilors Bruce S. Flax, Bill Johnson, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Deborah L. Peruzzotti, Paulann H. Sheets, and Harry A. Watson

Tuesday, December 15, 2009

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

Presentation of Plaques to Former Town Councilors

2009-0307 Proclamation Honoring Greater Mystic Chamber of
Commerce Award Recipients

Proclamation - TC

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

2009-0315 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meetings of December 1, 2009 and December 8, 2009 are hereby accepted and approved.

b. Administrative Items

2009-0296 Special Trust Fund Contributions

Resolution - Consent

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

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

Rhonda Ward - \$100.00 - Arts Cafe Miscellaneous

Various Donations - \$303.99 - Groton Utilities Energy Assistance Program

City of Groton Matching Funds - \$267.03 - Groton Utilities Energy Assistance Program

Marilyn Baird - \$100.00 - Social Services Discretionary

William Beaman - \$25.00 - Social Services Discretionary

Fitch Sr. High School \$503.98 - Social Services Discretionary

Richard and Jane Miller - \$20.00 - Social Services Discretionary
 Mystic River Homes Residents - \$70.00 - Social Services Discretionary
 Richard and Karen Neff - \$50.00 - Social Services Discretionary
 Poquonnock Bridge Neighborhood - \$100.00 - Social Services Discretionary
 Albert and Janiss Rudolph - \$75.00 - Social Services Discretionary
 Lisa Tess - \$20.00 - Social Services Discretionary
 Knights of Columbus - \$300.00 - Parks and Recreation Revolving
 Cardinal Honda Employees - \$320.00 - Social Services Discretionary
 Marjorie Fondulas - \$100.00 - Social Services Discretionary
 Groton Police PBA - \$100.00 - Social Services Discretionary
 Groton/Ledyard Rotary - \$5,708.80 - Social Services Discretionary
 Judy Hancock - \$20.00 - Social Services Discretionary
 Mystic Rotary - \$1,078.33 - Social Services Discretionary
 Jayvardhan Pandit - \$100.00 - Social Services Discretionary
 St. Andrew Presbyterian Church - \$450.00 - Social Services Discretionary
 Marilyn and John Turkowski - \$25.00 - Social Services Discretionary
 Eileen through United Way - \$52.82 - Parks and Recreation Revolving
 Susan McMillin (Pfizer matching donation)- \$250.00 - Parks and Recreation Revolving

c. Deletions from the Town Council Referral List

2009-0256	Town Clerk Salary Range	Referral
2009-0280	No-Freeze Homeless Shelter Initiative	Referral
2009-0294	Local Prevention Council Grant Program	Referral
2009-0297	Acceptance of Open Space in the Mystic Ice House Subdivision	Referral
2009-0298	Acceptance of Ice House Lane	Referral
2009-0302	Appointment of Town Attorney	Referral
2009-0306	Appointment of a Code of Ethics Task Force	Referral
2009-0308	Energy Efficiency and Conservation Block Grant DOE Response	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

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

2009-0256	Town Clerk Salary Range	Referral
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RESOLUTION SETTING THE SALARY OF THE TOWN CLERK

WHEREAS, the compensation of the Town Clerk shall be determined by the Town Council, under Town Charter Section 6.2, and

WHEREAS, the Town Council has considered the qualifications of the newly elected Town Clerk along with the Town of Groton non-union pay plan and a survey of the experience and compensation of the clerks of other municipalities, and

WHEREAS, under the Charter Section 6.2 the term of the newly elected Town Clerk will commence on January 4, 2010, now therefore be it

RESOLVED, that the annual salary of the Groton Town Clerk shall be \$69,000.

Legislative History

10/7/2009 Mayor Referred Town Council Committee of th

10/13/2009 Town Council Committee of Discussed
the Whole

The Town Manager explained that Groton has had the same Town Clerk for a number of years and her salary has increased year to year. With the election coming up, the Council should begin to consider the salary for the position, which will have a new person in it in January. The Town Manager provided a list of salary ranges for non-union personnel. Councilor Monteiro asked if CCM could provide salary information for an entry level Town Clerk in a town of approximately the same size. Town Manager stated the Town Clerk is an important position, but it is an elected position and there is no job description. The Council should consider if the position were slotted into the Non-Union Pay Plan, where it would be. It was noted that some Town Clerk are elected and some are appointed and there may be a difference in the salaries.

10/27/2009 Town Council Committee of Discussed
the Whole

Town Manager Oefinger explained that research on the Town Clerk's position was done a number of years ago to see where the position would be slotted if it were included in the non-union pay plan. Doug Ackerman, Director of Administrative Services, reviewed the potential salary range for the Town Clerk's position (salary level 4 in the non-union pay plan). The recommendation is the result of a consultant's evaluation and ranking of all non-union positions. Information from CCM for town clerk salaries in towns of 20,000 or greater was provided as requested by the Council. The median salary is \$69,000

Another option that the Council has is to include the Town Clerk formally under the Non-Union Terms and Conditions for everything other than salary.

Councilor Monteiro expressed surprise that the position is not on par with a department head. Mr. Ackerman explained that the recommended salary does not address that particular issue. Councilor Monteiro questioned the advantages or disadvantages of including it in the Non-Union Terms and Conditions. Mr. Ackerman suggested that the advantage is knowing up front what the conditions are, as well as providing consistent benefits and stability for the person in the position. The Town Clerk already has the option to participate in the Town's retirement plan. This is a hybrid position that is difficult to define. The salary ranges are adjusted annually and the Council has the option to hire anywhere within that range. Councilor Sheets expressed surprise at using the non-union pay guidelines for the Town Clerk position and feels that the salary should be reviewed based on comparable Town Clerk tenure and experience. She expressed concern with setting a precedent for a Town-wide elected position. Councilor Schmidt asked about Town Clerk Barbara Tarbox's benefits. Councilor Kolnaski asked if terms and conditions should be identified specifically for the Town Clerk. Councilor Flax noted that the median salary may be a place to start, but it falls at a different level than would be expected with what other positions in the Town make and it would not be equitable. Mayor Watson has a problem with establishing a salary range and deciding prior to appointing the Town Clerk at this point in the game. He would prefer to put a number out there and deal with it from year to year. Councilor Kolnaski also expressed concern with applying the non-union terms and conditions to the position. Mr. Ackerman noted that salary setting would be an exception to the Non-Union Terms and Conditions for the Town Clerk.

The Town Manager sees no down side to using the Non-Union Terms and Conditions except salary and increases. The consultant's ranking simply looked at responsibilities versus the marketplace. The other option is to sit down with the elected person and start from scratch.

Councilor Antipas finds a strong correlation between the size of the town, the number of documents handled, experience, and the salary. He noted that staff's recommended salary range is consistent with most salary ranges, but there are still large fluctuations.

Councilor O'Beirne does not object to the salary range, but he does object to including the Town Clerk in the

Non-Union Terms and Conditions. He asked for time to review the Non-Union Terms and Conditions in detail.

Discussion of this item was tabled to the next meeting.

**11/10/2009 Town Council Committee of Discussed
the Whole**

Councilor Monteiro asked if there is a job description for Groton's Town Clerk and suggested that the Council sit down with the new Town Clerk. Councilor O'Beirne suggested that Barbara Tarbox identify the primary duties of her office. Councilor Flax suggested that the classification of the Town Clerk should be looked at closely if included in the Non-Union Terms and Conditions. Councilor Antipas expressed concern with marrying the Town Clerk position to the Non-Union Terms and Conditions because the position is unique and is not a Town employee. He suggested the Council "interview" the new Town Clerk prior to setting the salary. The consensus of the Council was to postpone discussion of this item until the new Town Council is seated.

**12/8/2009 Town Council Committee of Discussed
the Whole**

Town Manager Oefinger provided a brief history of this issue and an overview of the information provided to the Town Council. The Council also received a packet of information from Betsy Moukawsher. Councilor Watson supports establishing a salary range, but he noted that compensation is set by the Council on a yearly basis. Councilor Monteiro noted that the salary range is for the initial term and compensation can be set within the range. The salary ranges increase every year so the upper limit is not a cap. The Town Manager noted there are two issues - placing a value on the position and evaluating the person in the position to determine the compensation. Salary ranges in the non-union pay plan have built in 3% annual increases, but the range would have to be reevaluated in two years when the non-union pay plan expires.

**12/8/2009 Town Council Committee of Motion
the Whole**

to establish a salary range for the Town Clerk of \$68,842 to \$81,955.

Councilor O'Beirne objected to setting a salary range and including the position in the Non-Union Terms and Conditions because this is an elected position different from all other Town employees. He would prefer to set a salary and establish the terms and condition of employment separate from the Non-Union Terms and Conditions. It was clarified that the motion was for a salary range only, and not inclusion of the position in the Non-Union Terms and Conditions. Councilor Sheets and Councilor Monteiro agreed with Councilor O'Beirne's concerns. Councilor Watson asked for a referral on Town Clerk compensation if the motion passes. Mayor Streeter feels that the terms and conditions should be discussed and established such as hours of work etc. Councilor Flax supported having a discussion with Ms. Moukawsher about her qualifications before setting the salary

**12/8/2009 Town Council Committee of Discussed
the Whole**

Mayor Streeter expressed support for moving forward and setting the salary. Councilor Monteiro suggested it would be appropriate to have a discussion with Ms. Moukawsher. Councilor Streeter asked if the discussion should be done in executive session. The Town Manager suggested that the Town Attorney be consulted. Councilor Watson stated that the person whose salary is being discussed has the option whether or not to discuss the issue in executive session.

Ms. Moukawsher indicated she would like to have a private discussion in executive session.

**12/8/2009 Town Council Committee of Motion
the Whole**

to enter executive session at 8:23 p.m. and to invite Betsy Moukawsher to attend

**12/8/2009 Town Council Committee of Recommended for a
the Whole Resolution**

The executive session concluded at 8:37 p.m.

**12/8/2009 Town Council Committee of Motion
the Whole**

to approve an annual salary of \$69,000 for the Town Clerk position starting January 4, 2010

2009-0280 No-Freeze Homeless Shelter Initiative

Referral

RESOLUTION APPROVING A GRANT FOR A HOMELESS SHELTER

WHEREAS, the New London Homeless Hospitality Center has previously qualified as the recipient of annual grants from the Town of Groton's Outside Agencies program, and

WHEREAS, the Center has developed a comprehensive plan for providing shelter to homeless persons in the coming winter months and has requested supplemental funding from Groton and other towns, now therefore be it

RESOLVED, that a supplemental grant of \$3,000 may be given to the New London Homeless Hospitality Center, Inc., from funds previously appropriated to the Town Council for FYE 2010 under the function Legislative Policy 1001.

Legislative History

11/5/2009 Mayor Referred Town Council Committee of the

12/8/2009 Town Council Committee of the Whole Recommended for a Resolution

The Town received a letter from the New London Homeless Hospitality Center requesting additional funding for emergency temporary shelters for the homeless. Their desire is to raise \$23,500.

12/8/2009 Town Council Committee of the Whole Motion

to make an additional donation to the New London Homeless Hospitality Center in the amount of \$3,000 for the No-Freeze Homeless Initiative

2009-0294 Local Prevention Council Grant Program Referral

RESOLUTION ENDORSING A LOCAL PREVENTION GRANT FOR THE LEDGE LIGHT HEALTH DISTRICT

WHEREAS, the Ledge Light Health District can qualify for a grant of \$4,500 for FYE 2010 activities in the Town of Groton, by our Local Prevention Council, to reduce abuse of alcohol, tobacco and drugs, now therefore be it

RESOLVED, that the Town Council supports and endorses the Local Prevention Council's grant of \$4,500 and authorizes Town Manager Mark R. Oefinger to sign, on behalf of the Town of Groton, any letters or other documentation as may be needed.

Legislative History

11/17/2009 Mayor Referred Town Council Committee of the

12/8/2009 Town Council Committee of the Whole Discussed

The Town Manager noted that when Ledge Light Health District seeks grant funds that other Town agencies may be eligible for or interest in, the Town Council should be aware of their action. In this case, the GASP Coalition works closely with other Town agencies and it has been decided that they are the most appropriate recipients of the grant.

12/8/2009 Town Council Committee of the Whole Recommended for a Resolution

2009-0297 Acceptance of Open Space in the Mystic Ice House Subdivision Referral

RESOLUTION TO ACCEPT DEDICATED OPEN SPACE IN THE MYSTIC ICE HOUSE SUBDIVISION

WHEREAS, the Mystic Ice House Subdivision was approved on September 9, 2003, and

WHEREAS, subsequently, on November 10, 2009, the Planning Commission recommended acceptance of an open space parcel of approximately 1.33 acres adjoining the Town-owned Pequot Woods, now therefore be it

RESOLVED, that the Town Council hereby accepts the open space parcel in the Mystic Ice House

Subdivision.

Legislative History

	11/24/2009	Mayor	Referred	Town Council Committee of tf
	12/8/2009	Town Council Committee of the Whole	Recommended for a Resolution	
2009-0298	Acceptance of Ice House Lane			Referral

ACCEPTANCE OF ICE HOUSE LANE

WHEREAS, the Mystic Ice House Subdivision was approved on September 9, 2003, and

WHEREAS, subsequently, on November 10, 2009, the Planning Commission recommended acceptance of a road of 350 linear feet known as Ice House Lane, now therefore be it

RESOLVED, that the Town Council hereby accepts Ice House Lane as a Town street.

Legislative History

	11/24/2009	Mayor	Referred	Town Council Committee of tf
	12/8/2009	Town Council Committee of the Whole	Recommended for a Resolution	
2009-0302	Appointment of Town Attorney			Referral

RESOLUTION APPOINTING THE TOWN ATTORNEY

WHEREAS, the Town Council has considered the needs of the Town for legal advice, the nature of the litigation currently underway, and the cost and quality of the legal services now being provided, there be it

RESOLVED, that pursuant to Town Charter 8.2.1, Eileen Duggan of the firm of Suisman, Shapiro, Wool, Brennan, Gray & Greenberg, P.C. is hereby appointed Town Attorney, to exercise all powers and duties of that office until her successor shall be appointed and qualified, and that the following attorneys from Suisman Shapiro may assist Attorney Duggan carrying out her duties:

Matthew Auger
 Raymond Baribeault
 James Berryman
 Michael Blanchard
 Andrew Brand
 Eric Callahan
 Michael Carey
 Jack Collins
 Jeanette Dostie
 Bryan Fiengo
 Lawrence Greenberg
 Robert Keville
 Hinda Kimmel

Legislative History

	12/1/2009	Mayor	Referred	Town Council Committee of tf
	12/8/2009	Town Council Committee of the Whole	Discussed	

Under the new charter, the Council has 120 days from the election to appoint the Town Attorney. The Town Manager asked the Council how they would like to proceed with selecting the Town Attorney. The Current Town Attorney has served the Town for a number of years. The Town Manager spoke to Attorney Eileen Duggan and her firm would like to continue to represent the Town. She also expressed her willingness to meet with the Council. The Town Manager noted that a full blown solicitation can be done, but it will take a

