



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 Harry A. Watson, Councilors Heather Sherman Bond, Kathryn M. Brown-Tracy, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, Paulann H. Sheets, and James L. Streeter

Tuesday, September 02, 2008

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

2008-0203 Proclamation Recognizing Brian Mark Pochal

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

2008-0206 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of August 5, 2008 and August 12, 2008 are hereby accepted and approved.

b. Administrative Items

2008-0195 Special Trust Fund Contributions

Resolution - Consent

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

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

George Marshall - \$100.00 - Social Services Discretionary

Paulann Sheets - \$1,348.96 - Social Services Discretionary

Dee Quinlan - \$5.00 - Animal Shelter Miscellaneous

Akisha Bailey - \$5.00 - Animal Shelter Miscellaneous

Edward Avery - \$5.00 - Animal Shelter Miscellaneous

Wendy Dotson - \$5.00 - Animal Shelter Miscellaneous

George Calcaterra - \$1.00 - Animal Shelter Miscellaneous

Jay Kane, \$400.00 - Maritime Academy Miscellaneous

Eleanor Ralls - \$200.00 - Parks and Recreation Revolving

Muriel R. Williams - \$25.00 - Parks and Recreation Revolving
 St. Johns Congregational Church - \$50.00 - Parks and Recreation Revolving
 Various Donations - \$60.46 - Groton Utilities Energy Assistance Program
 Groton Public Library Circle of Friends - \$250.00 - Library Discretionary
 Anonymous Donor - \$26.00 - Parks and Recreation Revolving
 Susan Decorte - \$499.72 - Parks and Recreation Revolving

c. Deletions from the Town Council Referral List

2007-0212	Tax Breaks for Hybrid Vehicles	Referral
2008-0187	Lily Lane Trail - National Recreational Trails Program Grant	Referral
2008-0194	National Council on Aging Grant	Referral
2008-0205	Connecticut Commission on Culture and Tourism Grant - Arts Cafe Mystic	Referral
2008-0207	Department of Homeland Security Grant - Risk Analysis Software	Referral
2008-0216	Community Foundation of Southeastern Connecticut Grant - Arts Cafe Mystic	Referral
2008-0189	Appointment to New London Ledge Lighthouse Board of Directors	Referral
2008-0200	Explanatory Text for Revised Charter	Referral
2008-0204	Setting the Date and Question for the Charter Revisions	Referral
2008-0212	Long Island Sound (LIS) Grant - Esker Point Park Shelter	Referral
2008-0213	Charter Revision Commission - Submittal of Final Report	Referral
2008-0219	Acceptance of Town Attorney Recommendations on the Proposed Charter Revision	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

- a. Community & Cultural Development - Chairman Brown-Tracy
- b. Economic Development - Chairman Bond
- c. Education/Health & Social Services - Chairman Kolnaski
- d. Environment/Energy - Chairman Sheets
- e. Finance - Chairman Schmidt
- f. Personnel/Appointments/Rules - Chairman O'Beirne

- g. **Public Safety - Chairman Streeter**
- h. **Public Works/Recreation - Chairman Monteiro**
- i. **Committee of the Whole - Mayor Watson**

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

2008-0187 Lily Lane Trail - National Recreational Trails Program Grant Referral

RESOLUTION AUTHORIZING A CAPITAL GRANT APPLICATION TO THE NATIONAL RECREATIONAL TRAILS PROGRAM

WHEREAS, the National Recreational Trails Program provides capital grants from federal funds through the Connecticut Department of Environmental Protection (DEP) for the construction and rehabilitation of trails, and

WHEREAS, such funds reimburse up to 80% of the cost of construction, with the municipality's 20% being provided by in-kind services or local funding, and

WHEREAS, the Town Council and RTM approved as part of their FYE 2009 budget deliberations a Capital Improvement Project entitled "Trail Improvement Program" in the amount of \$65,000, which included \$15,000 from Capital Reserve and \$50,000 from a yet to be submitted/awarded grant from the National Recreational Trails Program for the purpose of extending the Lily Lane Trail from Haley Farm southeast to the railroad pedestrian bridge, now therefore be it

RESOLVED, that Town Manager Mark R. Oefinger may apply to the Connecticut Department of Environmental Protection for a Recreational Trails Program grant in the amount of \$50,000.

Legislative History

7/21/2008	Mayor	Referred	Town Council Finance Commi
8/12/2008	Town Council Finance Committee	Recommended for a Resolution	

2008-0194 National Council on Aging Grant Referral

RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE NATIONAL COUNCIL ON AGING

WHEREAS, the Groton Senior Center conducts highly popular programs that provide seniors with varied levels of training and access to computer services, and

WHEREAS, an additional computer could allow seniors to more conveniently make use of the National Council on Aging (NCOA) Benefits Check Up program for finding and verifying their eligibility for benefits, now therefore be it

RESOLVED, that the Town Manager may apply for a NCOA grant in the form of computer equipment from the national "My Medicare Matters" program.

Legislative History

7/28/2008	Mayor	Referred	Town Council Finance Commi
8/12/2008	Town Council Finance Committee	Recommended for a Resolution	

2008-0205 Connecticut Commission on Culture and Tourism Grant - Arts Cafe Mystic Referral

RESOLUTION AUTHORIZING A GRANT FROM THE CONNECTICUT COMMISSION ON

CULTURE AND TOURISM

WHEREAS, the Arts Café-Mystic program will enter its fifteenth year in spring, 2009, and

WHEREAS, Arts Café-Mystic uses external funds to provide performances at the Mystic Arts Center by acclaimed writers and musicians and to grant scholarships to student writers, now therefore be it

RESOLVED, that Town Manager Mark R. Oefinger may apply for a non-matching grant of \$2,000 from the Connecticut Commission on Culture and Tourism.

Legislative History

8/13/2008 Mayor Referred Town Council Finance Commi

8/26/2008 Town Council Finance Committee Recommended for a Resolution

2008-0207 Department of Homeland Security Grant - Risk Analysis Software Referral

RESOLUTION AUTHORIZING A GRANT FROM THE DEPARTMENT OF HOMELAND SECURITY

WHEREAS, new electronic information systems can assist law enforcement personnel to analyze homeland security risks through mobile data collection and analysis, and

WHEREAS, a non-matching Commercial Equipment Direct Assistance Program (CEDAP) grant would allow Groton to acquire software and equipment for such risk analysis, now therefore be it

RESOLVED, that Town Manager Mark R. Oefinger may apply for a non-matching CEDAP grant of \$3,990 funded by the U.S. Department of Homeland Security and administered by the United States Army Electronic Proving Ground.

Legislative History

8/14/2008 Mayor Referred Town Council Finance Commi

8/26/2008 Town Council Finance Committee Recommended for a Resolution

2008-0216 Community Foundation of Southeastern Connecticut Grant - Arts Cafe Mystic Referral

COMMUNITY FOUNDATION OF SOUTHEASTERN CONNECTICUT GRANT - ARTS CAFE MYSTIC

WHEREAS, the Arts Café-Mystic program will enter its fifteenth year in spring, 2009, and

WHEREAS, Arts Café-Mystic uses external funds to provide performances at the Mystic Arts Center by acclaimed writers and musicians and to grant scholarships to student writers, now therefore be it

RESOLVED, that Town Manager Mark R. Oefinger may apply for a non-matching grant of \$3,000 from the Community Foundation of Southeastern Connecticut.

Legislative History

8/21/2008 Mayor Referred Town Council Finance Commi

8/26/2008 Town Council Finance Committee Recommended for a Resolution

2008-0189 Appointment to New London Ledge Lighthouse Board of Directors Referral

RESOLUTION APPOINTING DEBORAH MONTEIRO TO LEDGE LIGHTHOUSE BOARD OF DIRECTORS

RESOLVED, that the Town Council hereby appoints Councilor Deborah Monteiro, 70 Spyglass

Circle, to represent the Town Council on the Ledge Lighthouse Board of Directors.

Legislative History

7/22/2008 Mayor Referred Town Council Committee of th

8/26/2008 Town Council Committee of the Whole Recommended for a Resolution

Councilor Streeter noted that the bylaws of the Ledge Lighthouse Board of Directors call for a Town Council appointment to the Board. Previously, the Town was represented by Charles Koslosky. Town Manager Oefinger asked Councilor Streeter to provide a copy of the bylaws.

8/26/2008 Town Council Committee of the Whole Motion

to appoint Councilor Monteiro to the New London Ledge Lighthouse Board of Directors

2008-0219 Acceptance of Town Attorney Recommendations on the Proposed Charter Revision Referral

RESOLUTION ACCEPTING TOWN ATTORNEY RECOMMENDATIONS ON THE PROPOSED CHARTER REVISION

WHEREAS, the Town Council has received the Town Attorney's recommendations for changes to the Draft Report of the Charter Revision Commission, and

WHEREAS, the Charter Revision Commission has considered said recommendations, now therefore be it

RESOLVED, that the Town Council accepts the recommendations of the Town Attorney as approved by the Charter Revision Commission and incorporated into its Final Report of August 25, 2008.

Legislative History

8/26/2008 Town Council Committee of the Whole Recommended for a Resolution

2008-0213 Charter Revision Commission - Submittal of Final Report Referral

RESOLUTION APPROVING THE FINAL REPORT OF THE CHARTER REVISION COMMISSION

WHEREAS, the Town Council appointed nine members to a Charter Revision Commission on June 19, 2007, and

WHEREAS, the Charter Revision Commission submitted its Draft Report to the Town Council on July 22, 2008, and pursuant to the provisions of Sec. 7-191 of the CGS, the Town Council held a public hearing on August 5, 2008, and made recommendations for changes to the Draft Report on August 19, 2008, and

WHEREAS, the Charter Revision Commission considered the Council's recommendations on August 25, 2008, thereafter submitting its Final Report, consisting of the Proposed Charter and Enclosures, to the Town Council on August 26, 2008, now therefore be it

RESOLVED, that the Town Council hereby approves the proposed amendments to the Charter as contained in the Final Report.

Legislative History

8/21/2008 Mayor Referred Town Council Committee of th

8/26/2008 Town Council Committee of the Whole Recommended for a Resolution

Councilor O'Beirne reminded the Council that the Charter Revision Commission (CRC) transmitted its initial report to the Town Council and the Town Council subsequently held a public hearing on the proposal. After

discussion of the proposed Charter, the Council came up with seven recommended changes. The proposed Charter was also reviewed by the Town Attorney and a number of changes were recommended to improve consistency, clarity and intent. Last night, the CRC addressed the Town Council and Town Attorney recommended changes. One recommendation of the Town Council that was opposed by the CRC was with respect to Sec. 3.6.1 Vacancies in Elective Office. Councilor O'Beirne explained the Commission's reasoning for not changing the section.

Town Attorneys Eileen Duggan and Mike Carey were present to explain their recommendations. Mr. Carey noted there were a number of items that were simply designed to raise issues for discussion and most of his questions were answered by the Commission to his satisfaction last night. As a result, the Town Attorney has withdrawn his comments 1D, 2A, 3A, 6C, 8A, 9A, 16A and 21A. Attorney Duggan's comments were more substantive and dealt with personnel type issues.

Councilor O'Beirne noted that the new draft reflects all of the comments of the Town Council and Town Attorney and Councilors also received an updated listing of the changes proposed. Councilor O'Beirne stated that this represents the final proposal from the CRC and they are asking that the Town Council accept the final report, and send the proposed Charter to referendum in November by setting the date and form of the question and authorizing the preparation of explanatory text. The entire charter and list of proposed changes will be on the Town's web site. The deadline for Town Council action is September 4th.

Town Clerk Barbara Tarbox noted that the changes were made since last night's CRC meeting, and the document will be reviewed and final edited.

Councilor Sheets asked if there was any discussion on other alternatives to having the RTM fill a vacancy on the Town Council if the Council were not able to do that, such as holding a special election. Councilor O'Beirne noted that there was no discussion of that option since a replacement would have to come from the same party.

**8/26/2008 Town Council Committee of Motion
the Whole**

to approve the recommendations of the Town Attorney and forward them to the Charter Revision Commission for inclusion in the amendments to the proposed Charter

**8/26/2008 Town Council Committee of Motion
the Whole**

to accept the final report of the Charter Revision Commission as amended by recommendations of the Town Council and the Town Attorney

2008-0200 Explanatory Text for Revised Charter Referral

RESOLUTION AUTHORIZING EXPLANATORY TEXT FOR CHARTER REVISIONS

WHEREAS, it is in the best interests of the Town of Groton that Explanatory Text concerning the referendum question re the Charter Revisions that will be on the ballot on November 4, 2008, be prepared and distributed to voters, now therefore be it

RESOLVED, that the Town Council authorizes such Explanatory Text to be prepared by the Town Clerk, approved by the Town Attorney, and distributed to the voters of the Town.

Legislative History

8/5/2008 Mayor Referred Town Council Committee of th

8/26/2008 Town Council Committee of Recommended for a
the Whole Resolution

2008-0204 Setting the Date and Question for the Charter Revisions Referral

RESOLUTION SETTING THE DATE AND FORM OF THE QUESTION FOR PROPOSED CHARTER REVISION

WHEREAS, the Charter Revision Commission has submitted its Final Report dated August 25, 2008 to the Town Council, now therefore be it

RESOLVED, that the amendments to the Charter be submitted for approval or rejection at

referendum to be held on Tuesday, November 4, 2008. Voters approving the amendments will vote "Yes" and those opposing the amendments will vote "No", and be it further

RESOLVED, that the form of the Question shall be:

"SHALL THE AMENDMENTS TO THE TOWN CHARTER AS APPROVED BY THE TOWN COUNCIL ON SEPTEMBER 2, 2008, BE APPROVED?"

Legislative History

8/13/2008 Mayor Referred Town Council Committee of

8/26/2008 Town Council Committee of Discussed the Whole

Councilor Sheets noted that she agrees with the minority report that would have allowed a separate referendum question on the subject of a budget referendum.

8/26/2008 Town Council Committee of Recommended for a the Whole Resolution

2008-0212 Long Island Sound (LIS) Grant - Esker Point Park Shelter Referral

RESOLUTION AUTHORIZING A LONG ISLAND SOUND PROGRAM GRANT FOR A SHELTER AT ESKER POINT PARK

WHEREAS, in the Proposed Budget for Fiscal Year 2009, a Capital Improvement Plan (CIP) project was presented for a \$60,000 park shelter pavilion at Esker Point beach, based on funding by an anticipated grant of \$25,000 and a Town appropriation of \$35,000, and

WHEREAS, that CIP project was approved by the Town Council but was denied by the RTM, and

WHEREAS, Town staff believes that public interest currently supports expanding the available shelter space, as indicated in part by additional rental fees that offset maintenance costs, and

WHEREAS, the Connecticut Department of Environmental Protection has approved a \$25,000 grant to the Town of Groton from Long Island Sound license plate funding, pursuant to a grant application approved by the Town Council on April 1, 2008, in Legislative Item No. 2008-0078, now therefore be it

RESOLVED, that the Town Council appropriates \$35,000 in matching funds from the Capital Reserve Fund for the project set forth as CIP Project B4 in the Proposed 2009 Budget.

Refer to RTM

Legislative History

8/21/2008 Mayor Referred Town Council Committee of

8/26/2008 Town Council Committee of Discussed the Whole

Town Manager Oefinger noted this project was identified in the Capital Improvement Program. It is a \$60,000 project with \$25,000 coming from a grant, and \$35,000 from Capital Reserve. The RTM did not approve the project and the reason was not clear. Now that the grant has been approved, the Town Manager would like to secure Town Council and RTM approval for a supplemental appropriation. The Department of Environmental Protection will give the Town until mid-October to get back to them about the availability of matching funds. Councilor Monteiro asked if the shelter would be available for rental and Town Manager Oefinger stated yes, but the fees help pay for clean up and maintenance as opposed to the cost of the facility.

8/26/2008 Town Council Committee of Recommended for a the Whole Resolution

XI. OTHER BUSINESS

XII. ADJOURNMENT