



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 Kevin Power, Representatives Jean-Claude Ambroise, Joe Baril, Nancy E. Barnhart, Alicia Bauer, Nancy E. Beckwith, Christopher J. Burns, Michael Collins, Nancy M. Congdon, Warren T. Cooper, Luanne E. DeMatto, Syma Ebbin, Peter Fairbank, Nancy E. Gilly, Patrice Granatosky, Dolores Harrell, Keith L. Hedrick, Damon Q. Helme, Lynn Crockett Hubbard, Michael Dean Johnson, Rosanne E. Kotowski, Elizabeth Luck, Jackie Massett, Carole McCarthy, Constance Miller, Karen F. Morton, Scott Newsome, Dana C. Parfitt, Richard J. Pasqualini, Jr., Tim Plungis, Kristen L. Powers, Don Pratt, Betty A. Prochaska, John F. Scott IV, Jack Sebastian, Dana S. Semeraro, Joan Steinfeld, Irma Streeter, Mark Svencer, Archie C. Swindell, and Robert A. Warn

Wednesday, January 26, 2011

7:30 PM

Groton Senior Center

SPECIAL MEETING-ADJOURNED TO THURSDAY, JANUARY 27, 2011

Pursuant to Connecticut General Statutes section 1-228, the RTM Special Meeting of January 26, 2011 is adjourned to Thursday, January 27, 2011 at 7:30 at the Senior Center due to inclement weather.

A. ROLL CALL

*Moderator Kevin Power called the meeting to order at 7:30 p.m.
29 members were present, and a quorum was declared.*

He noted that Reps. Burns, Collins, Harrell, Helme, Hubbard, Luck, Massett, McCarthy, Prochaska, Semeraro, and Warn called to say they are unable to attend.

Members Present: Moderator Power, Rep. Ambroise, Rep. Baril, Rep. Barnhart, Rep. Bauer, Rep. Beckwith, Rep. Congdon, Rep. Cooper, Rep. DeMatto, Rep. Ebbin, Rep. Fairbank, Rep. Gilly, Rep. Granatosky, Rep. Hedrick, Rep. Johnson, Rep. Kotowski, Rep. Morton, Rep. Newsome, Rep. Parfitt, Rep. Pasqualini Jr., Rep. Plungis, Rep. Powers, Rep. Pratt, Rep. Scott, Rep. Sebastian, Rep. Steinfeld, Rep. Streeter, Rep. Svencer and Rep. Swindell

Members Absent: Rep. Burns, Rep. Collins, Rep. Harrell, Rep. Helme, Rep. Hubbard, Rep. Luck, Rep. Massett, Rep. McCarthy, Rep. Miller, Rep. Prochaska, Rep. Semeraro and Rep. Warn

Also present were Town Manager Mark Oefinger, Parks and Recreation Director John Sisby, Manager of Recreation Services Jerry Lokken, Councilor Bill Johnson, Town Clerk Betsy Moukawsher and Assistant Town Clerk Sally Whitney.

B. MOMENT OF SILENCE AND SALUTE TO THE FLAG

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

C. APPROVAL OF MINUTES OF DECEMBER 8, 2010

*A motion that the minutes be adopted was made by Rep. Pratt, seconded by Rep. Pasqualini.
The vote to approve the minutes carried 28 in favor, 1 abstention. (Abstaining: Rep. Ambroise.)*

D. CITIZENS' PETITIONS

None.

E. RECEPTION OF COMMUNICATIONS

Moderator Power announced the resignation of Sixth District representative Jennifer Smuts effective January 4, 2011. He welcomed Tim Plungis who was elected to fill the vacancy. He reported that Constance Miller was elected from the Fifth District to replace Sandry Ramos-Morales.

The Moderator reported that a referral was received from the Town Council on January 19, 2011 under RTM rule 6.5.3 for Sales Tax on Commercial Solid Waste Collection. This item was referred

to the RTM Finance Committee and a report will be provided at this meeting.

F. REPORT OF THE TOWN MANAGER:

1. Financial report

Mr. Oefinger reported that the Fund Balance as of December 30, 2010 is approximately \$8.7 million; the General Contingency balance is \$350,000 with no transfers made to date; the Capital Reserve balance is \$323,424. He noted that the increase is attributable to the receipt of State Clean Water Funds, recording fees and interest income.

2. Monthly briefing

Town Manager Oefinger complimented the Human Services Department for the success of the annual holiday food and gift distribution programs. He thanked local businesses, the community, and volunteers for the numerous donations and generous support which enable the holiday food and gift programs to continue.

The Manager thanked Town Attorney Suisman, Shapiro for its donation to the Energy Assistance Program.

3. Economic/Development Specialist - Barbara Strother

Ms. Strother reported on new businesses and various projects in Town that are stimulating growth in the community. She explained that she coordinates and facilitates communications with businesses contemplating locating in Groton or expanding and in need of guidance. She conducts classes to assist businesses in start-up and marketing strategy. Ms. Strother maintains a list of possible business locations of various sizes in order to encourage more commercial growth in Groton.

The Moderator reminded members that each month a department or division will be providing information to familiarize the RTM with recent activities in that department.

G. REPORT OF THE SUPERINTENDENT OF SCHOOLS

No report.

H. LIAISON REPORTS

No reports.

I. COMMITTEE REPORTS

1. FINANCE - Chairman Hedrick

Chairman Hedrick read the minutes of the meeting held on January 27, 2011. (Minutes are attached.) (Note that the committee meeting was also adjourned from January 26 due to the weather.)

Motion to approve the minutes was made by Rep. Hedrick, seconded by Rep. Johnson and so voted unanimously.

2010-0153 Sales Tax on Commercial Solid Waste Collection

RESOLUTION AUTHORIZING THE PAYMENT "UNDER PROTEST" OF THE SALES TAX LIABILITY ON COMMERCIAL REFUSE ACCOUNTS.

WHEREAS, in June 2010 the State Department of Revenue Services informed the Town that it was selected and scheduled for a Sales and Use Tax Audit pertaining to billings associated with commercial refuse accounts, and

WHEREAS, the State's position is that the commercial refuse program is a taxable service to end users and the sales tax should have been collected since the inception of the program in 1999, and

WHEREAS, due to the Statute of Limitations, the State audit will go back to May 2007 through August 2010, and

WHEREAS, in July 2010 the Town sent a letter to 370 commercial refuse accounts informing them of the upcoming State sales tax audit, the Town's disagreement with the State's position and plans to seek redress through the appropriate channels of administrative appeal and to have the issue of sales tax liability decided in a proper forum, and

WHEREAS, the Town agreed to proceed with the audit under the State's Managed Audit Program requiring Town staff to assist in the audit in order to minimize interest charges, and

WHEREAS, the State has completed their audit and in December 2010 issued an Audit Determination that the sales tax liability is \$207,715.43 for the audit period, and

WHEREAS, the State has also imposed interest of 1% per month on that sales tax liability for a net interest charge of \$33,150.63 for a total liability of \$240,866.06, and

WHEREAS, if the total sales tax liability is not paid by January 31, 2011, an additional interest charge of 1% per month will be applied to the liability, now therefore be it

RESOLVED, that the Town Council authorizes the payment, under protest, of the sales tax liability of \$240,866.06 from the Solid Waste Fund in order to avoid paying additional interest and not to bill the commercial refuse users and to pursue an appeal of the State Department of Revenue Services' Audit Determination, and be it further

RESOLVED, that this item is referred to the RTM under Rule 6.5.3 so as to avoid paying any further interest and/or penalties.

Refer to RTM.

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

In response to members' questions, the Town Manager noted that attorney fees are estimated at \$5,000 and have been allocated out of the Solid Waste Fund. He provided history of the Town's involvement and establishment of the Commercial Solid Waste Collection program. He explained program operations and the calculations used for billing the approximate 390 businesses that participate in the program.

Rep. Sebastian left during discussion.

The motion carried by the following vote:

Votes: In Favor: 28 - Moderator Power, Rep. Ambrose, Rep. Baril, Rep. Barnhart, Rep. Bauer, Rep. Beckwith, Rep. Congdon, Rep. Cooper, Rep. DeMatto, Rep. Ebbin, Rep. Fairbank, Rep. Gilly, Rep. Granatosky, Rep. Hedrick, Rep. Johnson, Rep. Kotowski, Rep. Morton, Rep. Newsome, Rep. Parfitt, Rep. Pasqualini Jr., Rep. Plungis, Rep. Powers, Rep. Pratt, Rep. Scott, Rep. Steinfeld, Rep. Streeter, Rep. Svencer and Rep. Swindell
Non-voting: 1 - Rep. Sebastian

2. COMMUNITY DEVELOPMENT & SERVICES - Chairman Pratt

No meeting, no report.

3. EDUCATION - Chairman Swindell

No meeting, no report.

4. RECREATION - Chairman Warn

Rep. Ambrose read the minutes of the meeting held on January 5, 2011. (Minutes are attached.) Motion to approve the minutes was made by Rep. Baril, seconded by Rep. Barnhart and so voted unanimously.

2010-0234 Parks and Recreation Funding Recommendations

RESOLUTION ENDORSING PARKS AND RECREATION FUNDING
RECOMMENDATIONS

A motion was made by Rep. Ambroise, seconded by Rep. Parfitt, that this matter be Adopted.

Members discussed the reason for new software, the current third-party on-line credit card option, and the exclusion of the credit card option stipulated in the resolution from the Town Council.

Manager of Recreation Services Jerry Lokken explained the new software and the improvements to customer service that will result from this purchase. He stated that once the Town Council approves the credit card option, this software will allow on-site credit card payments. This software will reduce costs associated with returned checks and refunds, and will provide savings to taxpayers by eliminating the current 7% third party fee for on-line registration. He confirmed that the credit card option is included with the purchase of the software and can be initiated with a flip of a switch.

Moderator Power recognized Town Councilor Johnson who feels that it will be advantageous for Parks and Recreation to be ready to accept credit cards on-site as soon as the Council authorizes use of credit cards.

The motion carried by the following vote:

Votes: In Favor: 28 - Moderator Power, Rep. Ambroise, Rep. Baril, Rep. Barnhart, Rep. Bauer, Rep. Beckwith, Rep. Congdon, Rep. Cooper, Rep. DeMatto, Rep. Ebbin, Rep. Fairbank, Rep. Gilly, Rep. Granatosky, Rep. Hedrick, Rep. Johnson, Rep. Kotowski, Rep. Morton, Rep. Newsome, Rep. Parfitt, Rep. Pasqualini Jr., Rep. Plungis, Rep. Powers, Rep. Pratt, Rep. Scott, Rep. Steinfeld, Rep. Streeter, Rep. Svencer and Rep. Swindell
Non-voting: 1 - Rep. Sebastian

5. PUBLIC SAFETY - Chairman Parfitt

No meeting, no report.

6. PUBLIC WORKS - Chairman Collins

No meeting, no report.

7. RULES & PROCEDURES - Chairman Scott

No meeting, no report.

J. OTHER BUSINESS

2010-0181 FYE2012 Budget Discussion

FYE2012 BUDGET DISCUSSION

Discussed

Rep. Ambroise suggested that the Town review a pilot program for snow removal that was enacted by the City of Quincy, Massachusetts as a possible cost-cutting measure.

The Moderator stated that a copy of the information provided by Rep. Ambroise to the Town Manager and Town Clerk will be included in next month's agenda packet.

Rep. Bauer left at this time.

Rep. Scott expressed his concern with regard to a possible budget increase from Ledge Light Health District in light of a recent announcement that several towns may withdraw from the regional health district. He noted that Groton missed the deadline for notification to withdraw.

Rep. Cooper asked what would replace Ledge Light Health District.

Moderator Power noted that Ledge Light Health District is slated to speak at the February RTM regular meeting. He noted that questions and additional information can be obtained at that time.

Rep. Ambroise stated that several collective bargaining unit agreements are open for negotiation

and suggested that the Town increase the health benefit contributions from employees and freeze salaries. He noted that the projected increase in the State budget, which will be announced on February 16, 2011, is only one percent.

Rep. Hedrick agreed with Rep. Ambrose. He noted that he has been approached by residents requesting no tax increase this year. He suggested that this year's budget process will be difficult and that each line item should be scrutinized. He feels that the Council should adopt a budget which will not increase taxes.

Rep. Scott left at this time.

Rep. Gilly requested a change in the budget figure for snow plowing that is more realistic in order to avoid yearly fourth quarter transfers due to cost overruns.

Rep. Pasquilini proposed that the Moderator establish several committees to review department organization and to identify duplication in offices and services that could be consolidated to save money.

In response to Rep. Steinfeld, the Town Manager stated that he has directed department heads to submit a level service budget, a zero percent budget, a negative five percent budget and a negative ten percent budget. He reported that department budgets are being submitted and his review of each department will be ongoing during February.

Rep. Pasqualini requested that a review of middle management positions be completed in order to analyze the ratio of supervisors to front-line workers.

Rep. Ambrose agrees with Rep. Pasqualini. He added that he feels the Town needs to reduce overhead, consolidate agencies and reorganize top and middle management positions.

Rep. Kotowski mentioned her concern with the Phase II School Facilities Program which proposes joint use of the Poquonnock Plains Park entrance with the new proposed middle school on the Claude Chester School property.

Rep. Beckwith left at this time.

The Town Manager explained the review process that is followed for any CIP Bond Ordinance and noted that many changes or revisions are proposed before the final plan is adopted. The Moderator stated that a referral to the RTM is expected in February and that discussion would take place and action would be taken at the RTM regular meeting in March.

K. ADJOURNMENT

A motion to adjourn at 9:25 p.m. was made by Rep. Fairbank, seconded by Rep. Barnhart and so voted unanimously.

Attest:

Betsy Moukawsher, Town Clerk
Clerk of the RTM

Sally A. Whitney, Assistant Town Clerk