

**CITY OF GROTON  
MAYOR AND COUNCIL  
AGENDA  
MONDAY, APRIL 17, 2017**

**MUNICIPAL BUILDING  
COUNCIL CHAMBERS  
7:30 PM**

**I. ROLL CALL**

**II. SALUTE TO THE FLAG**

**III. RECOGNITION, AWARDS AND MEMORIALS**

**IV. RECEIPT OF CITIZEN'S PETITIONS/COMMENTS**

**V. RESPOND TO CITIZEN'S PETITIONS/COMMENTS**

**VI. APPROVAL OF MINUTES**

April 3, 2017 Mayor and Council meeting; April 10, 2017 Special Committee of the Whole meeting.

**VII. COMMUNICATIONS AND REPORTS**

Group Committee updates

Presentation by Lori Mathieu, Chief, Drinking Water Division

**VIII. COMMITTEE REFERRALS**

**IX. NEW BUSINESS**

**R-17-4-76 RESOLUTION THAT THE MAYOR AND COUNCIL SUPPORT A LETTER OF INTENT TO THE STATE OF CONNECTICUT, DEPARTMENT OF PUBLIC HEALTH (DPH) TO PROCEED WITH INTERCONNECTIONS WITH THE CITY OF NORWICH AND FOUR (4) SMALL WATER SYSTEMS AS PART OF THE APPROVED WATER TREATMENT FACILITY IMPROVEMENTS PROJECT CONTINGENT UPON APPROVAL OF FUNDING FROM THE DRINKING WATER STATE REVOLVING FUND (DWSRF) GRANT-IN-AID PROGRAM**

**WHEREAS**, the approved Water Treatment Facility Improvements program is an approved State of Connecticut Drinking Water State Revolving Fund project; and

**WHEREAS**, in 2004, the project met the qualifying standards for subsidization Grant-in-Aid established under Public Act 14-98; and

**WHEREAS**, the Department of Public Health (DPH) updated its Intended Use Plan (IUP) in 2017, with additional criteria for subsidy under the DWSRF to incorporate water system consolidation projects and interconnection projects; and

**WHEREAS**, Groton Utilities would not be able to proceed with these projects without the Grant-in-Aid funding; and

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**WHEREAS**, Groton Utilities has drafted a Letter of Intent to proceed with interconnections with the City of Norwich and four (4) small water systems, contingent upon approval of Grant-in-Aid funding, and received draft approval from the State of Connecticut on April 13, 2017;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council support a Letter of Intent to the State of Connecticut, Department of Public Health (DPH) to proceed with interconnections with the City of Norwich and four (4) small water systems as part of the approved Water Treatment Facility Improvements project contingent upon approval of funding from the Drinking Water State Revolving Fund (DWSRF) Grant-in-Aid program.

**R-17-4-69 RESOLUTION THAT THE MAYOR AND COUNCIL AUTHORIZE AND APPROVE THE CITY OF GROTON TO PURCHASE ONE (1) 2017 FORD UTILITY INTERCEPTOR FROM NATICK AUTO SALES, INCORPORATED, DBA MHQ, 401 ELM STREET, MARLBOROUGH, MASSACHUSETTS, FOR A TOTAL COST OF \$27,821.80 (TWENTY-SEVEN THOUSAND EIGHT HUNDRED TWENTY-ONE DOLLARS AND EIGHTY CENTS) TO BE PAID FROM CURRENT YEAR POLICE DEPARTMENT CAPITAL RESERVE FUND APPROPRIATIONS**

**WHEREAS**, the City Police department has determined that a new Ford 2017 Utility Interceptor is required in the department's fleet; and

**WHEREAS**, the Vehicle will be ordered utilizing the State of Connecticut contract Number 12PSX0194 competitively bid pricing;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council authorize and approve the purchase of one (1) 2017 Ford Utility Interceptor from Natick Auto Sales, Incorporated, DBA MHQ, 401 Elm Street, Marlborough, Massachusetts, for a total cost of \$27,821.80 (Twenty-Seven Thousand Eight Hundred Twenty-One Dollars and Eighty Cents) to be paid from current year Police Department capital reserve fund appropriations.

**R-17-4-77 RESOLUTION THAT THE MAYOR AND COUNCIL FINALLY APPROVE "AN ORDINANCE TO DEFINE AND CODIFY THE TERMS OUTLINED IN ARTICLE IX (ETHICS) OF THE CITY OF GROTON CHARTER"**

**WHEREAS**, the City of Groton desires to define and codify terms outlined in Article IX (Ethics) of the City of Groton Charter for purposes of clarification; and

**WHEREAS**, Definitions – For the purposes of interpreting Article IX (Ethics) of the Charter of the City of Groton, the following definitions will apply:

***Beneficial Interest*** means any non-financial interest or special treatment that is not common to other citizens of the City. An individual's "beneficial interests" shall include the "beneficial interests" of all members of his/her family.

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***Conflict of Interest***

An official, employee or Consultant has a conflict of interest when that individual engages in or participates in any contract, transaction, decision, employment, or rendering of service that is incompatible with the proper discharge of that individual's official responsibilities in the public interest or would tend to impair his/her independent judgment or action in the performance of official responsibilities.

A Substantial financial interest or beneficial interest presents a conflict of interest that is incompatible with the proper discharge of official responsibilities in the public interest if the City Official, employee or Consultant has reason to believe or expect that he/she will obtain, secure or advance such interest by reason of his/her actions in performance or non-performance of his/her official responsibilities.

An official, employee or Consultant does not have a Substantial Financial Interest or beneficial interest that is incompatible with the proper discharge of his/her official responsibilities in the public interest if the interest accrues to such individual as a member of a profession, occupation, or group to no greater extent than it accrues to any other member of the profession, occupation, or group with which he/she is affiliated as set forth in Connecticut General Statutes Section 7-148h(b).

***Consultant*** means any independent contractor or professional person or firm that is, by virtue of an award of a public bid or contract, engaged by and receives compensation from the City for the purpose of providing professional, scientific, technical or other specialized opinion and is in a position to influence any decision of a City Official.

***Gift*** is a gift of more than one hundred dollars (\$100.00) in value. A gift includes, but is not limited to entertainment, food, beverage, travel, and lodging to the extent that the gift value exceeds one hundred dollars (\$100.00) for any one (1) occasion.

Gift does not include

- (1) Any gift regardless of value received from: (i) any family member who resides in the same household as the recipient of the gift, or (ii) another family member unless the other family member who makes the gift is interested, directly or indirectly, in a business transaction or pending matter that is within the purview or responsibilities of (A) the recipient of the gift, or (B) another family member residing in the same household as the recipient of the gift.
- (2) Certificates, plaques or other ceremonial awards.
- (3) Honorary degrees.
- (4) Food, beverage, travel and lodging authorized by the City for official City business and conducted in accordance with City policies regarding travel and means
- (5) A Political contribution which is allowed by law and reported in accordance with the law.

***Information of a Confidential Nature*** means information, however transmitted, that is obtained by an official, employee, or Consultant by reason of his/her public position and is of such nature that, at the time of transmission, is not a matter of public record or public knowledge.

***Loan*** includes any loan that is not commercially reasonable or more favorable than loans made in the ordinary course of business

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*Official duties* refers to those responsibilities and standards established through job descriptions, employment agreements, the City Charter or as defined by CT General Statutes.

*Proper discharge of duties* means acting in a way that does not impair the City Official's independence of judgment or action in the performance of their official duties. For City employees this also means acting in accordance with the City's established policies and work rules.

Improper discharge of duties would include

- 1) Having an outside interest that materially encroaches on time or attention that should be devoted to the affairs of the City;
- 2) Having a direct or indirect interest or relationship with an outsider that is inherently unethical or that might be implied or construed to be, or make possible personal gain due to the City Official's ability to influence dealings; render the City Official partial toward the outsider for personal reasons or otherwise inhibit the impartiality of the City Official's business judgment; place the official or organization in an equivocal, embarrassing or ethically questionable position; or reflect on the integrity of the organization;
- 3) Taking personal advantage of an opportunity that properly belongs to the City;
- 4) Failing to disclose a conflict of interest that may exist in the discharge of one's duties.

*Substantial Financial Interest* means any interest that: 1) has a monetary value of \$100 or more or generates a financial gain or loss of more than \$100 or more in a calendar year; and 2) is not common to the other citizens of the City. An individual's "significant financial interests" shall include the financial interests of all members of his/her family, but shall not include any duly authorized compensation from the City.

**WHEREAS**, this Ordinance was published in The Day, a newspaper having general circulation in the City of Groton on March 23, 2017 and March 24, 2017;

**WHEREAS**, the Ordinance will be effective upon passage;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council initially approve "An Ordinance to define and codify the terms outlined in Article IX (ETHICS) of the City of Groton Charter".

**R-17-4-78 RESOLUTION THAT THE MAYOR AND COUNCIL WAIVE THE BID PROCESS AND PROVISIONALLY AUTHORIZE AN AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INCORPORATED, 20 MAIN STREET, NATICK MASSACHUSETTS FOR PHASE II FEASIBILITY AND IMPLEMENTATION OF A SEWER UTILITY AND USER CHARGE SERVICES AT A COST NOT TO EXCEED \$61,840.00 (SIXTY-ONE THOUSAND EIGHT HUNDRED FORTY DOLLARS AND NO CENTS) TO BE PAID FROM CONTINGENCY FUNDS**

**WHEREAS**, representatives of Raftelis Financial Consultants, Incorporated and Woodcock & Associates, Incorporated completed the Phase I feasibility study which included an analysis recommendations for implementation of a sewer utility and user charge; and

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**WHEREAS**, the Phase II project will include public involvement, billing integration, rate study, maintenance and execution of the sewer use charge; and

**WHEREAS**, it was recommended to waive the bid process as Raftelis Financial Consultants, Incorporated have satisfactorily provided professional services on the Phase I Feasibility Study;

**THEREFORE BE IT RESOLVED** that the Mayor and City Council waive the bid process and provisionally authorize an agreement with Raftelis Financial Consultants, Incorporated 20 Main Street, Natick Massachusetts for Phase II Feasibility and Implementation of a Sewer Utility and User Charge services at a cost not to exceed \$61,840.00 (Sixty-One Thousand Eight Hundred Forty Dollars and No Cents) to be paid from contingency funds.

**R-17-4-79 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE APPOINTMENT OF WILLIAM ROBARGE, 921 EASTERN POINT ROAD, GROTON, CONNECTICUT, AS AN ALTERNATE MEMBER, PLANNING AND ZONING COMMISSION, TERM TO EXPIRE ON JUNE 30, 2019**

**WHEREAS**, State Statutes Planning and Zoning, Section 8-1 and Ordinance #41 states, "Appointments shall be made by the Mayor with the approval of the City Council"; and

**WHEREAS**, a vacancy exists for an alternate member to the Planning and Zoning Commission; and

**WHEREAS**, William Robarge, 921 Eastern Point Road, Groton, Connecticut, desires to serve on the Planning and Zoning Commission and has been recommended for appointment;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council approve the appointment of William Robarge, 921 Eastern Point Road, Groton, Connecticut, as an alternate member, Planning and Zoning Commission, term to expire on June 30, 2019.

**R-17-4-80 RESOLUTION THAT THE MAYOR AND COUNCIL AUTHORIZE THE EXTENSION OF "GAP PAY" TO DONALD NILES FOR A PERIOD OF AN ADDITIONAL 128 (ONE HUNDRED TWENTY-EIGHT) DAYS DAYS NOT TO EXCEED \$7,956.48 (SEVEN THOUSAND NINE HUNDRED FIFTY-SIX DOLLARS AND FORTY-EIGHT CENTS)**

**WHEREAS**, the Mayor and Council approved Ordinance 165 on January 2, 2007 to Approve Compensation to Full Time Municipal Employees who are Reservist or in the National Guard and are called to Active Duty; and

**WHEREAS**, pursuant to Ordinance 165, the City Council reserves the right to extend "Gap Pay" beyond the one year period as defined by the Ordinance, with written notification from the Department Head of the employee on active duty not less than 30 days in advance of the end of the initial one year period; and

**WHEREAS**, Groton Utilities Director, Ron Gaudet, and Finance Director, Ron Yuhas, provided written notification to the Mayor and Council on April 10, 2017 of the end of an additional extension of "Gap Pay" for Donald Niles; and

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**WHEREAS**, Groton Utilities Director, Ron Gaudet, and Finance Director, Ron Yuhas is requesting an extension of “Gap Pay” for an additional 128 (One Hundred Twenty-Eight) days not to exceed \$7,956.48;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council authorize the extension of “Gap Pay” to Donald Niles for a period of an additional 128 (One Hundred Twenty-Eight) days not to exceed \$7,956.48.

- X. POSSIBLE EXECUTIVE SESSION**
- XI. COMMENTS FROM EXECUTIVE SESSION**
- XII. ADJOURNMENT**