

**CITY OF GROTON
MAYOR AND COUNCIL
MINUTES
MONDAY, FEBRAURY 5, 2007**

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

Mayor Dennis Popp called the meeting to order at 7:30 p.m.

I. ROLL CALL

Present: Mayor Dennis Popp, Deputy Mayor Paul Duarte, Councilors David Hale, Hubert Poppe, Celeste Duffy, Marian Galbraith, Michael Street, Treasurer Janice Waller-Brett, Finance Director Tony Timpano and City Clerk Debra Patrick.

II. SALUTE TO THE FLAG

Led by Mayor Popp.

III. RECOGNITION, AWARDS AND MEMORIALS

None.

IV. RECEIPT OF CITIZEN'S PETITIONS/COMMENTS

None.

V. RESPOND TO CITIZEN'S PETITIONS/COMMENTS

None.

VI. APPROVAL OF MINUTES

Deputy Mayor Duarte moved **Councilor Hale** seconded a motion to approve the Special Mayor and Council minutes of January 16, 2007. **Motion passed unanimously.**

Councilor Galbraith moved **Councilor Street** seconded a motion to approve the Committee of the Whole minutes of January 22, 2007. **Motion passed unanimously.**

VII. COMMUNICATIONS AND REPORTS

Councilor Hale had no report.

Councilor Poppe had no report.

Councilor Street announced that he is a grandfather again. His son and daughter-in-law have welcomed a new baby girl, Abigail, into the family.

Councilor Galbraith reported that she has received 1 letter, 2 phone calls and had a few conversations regarding the staffing levels of the Fire Department.

Councilor Duffy attended the New Orleans Jazz concert at the Municipal Building January 21st and she said there was quite a large crowd. She reported that she received communications regarding staffing levels of the Fire Department.

Deputy Mayor Duarte attended the New Orleans Jazz concert at the Municipal Building January 21st and he reported that he received communications regarding staffing levels of the Fire Department.

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Mayor Popp reported that he is awaiting word as to whether the Navy Northeast Region Band will perform at the Municipal Building tentatively scheduled for May 3rd. He met with DOT engineer Kevin Ng January 18th regarding the alignment of lanes at Rainville Avenue/Clarence B. Sharp Highway/ Brandegee Avenue. He said there have been a number of accidents due to the confusion of the lane assignments. Mr. Ng had some recommendations regarding relining the lanes and shifting them slightly as well as making improvements to the signage. They also discussed improving the lighting at Rainville Avenue/Mumford Avenue. He attended the New Orleans Jazz concert at the Municipal Building January 21st, a briefing in New London at the courthouse regarding space difficulties there and spoke to CIRMA regarding the bid for insurance coverage for next year. He said that the employee driven safety committee and the programs they are developing are making a difference in compensation issues.

VIII. COMMITTEE REFERRALS

None.

IX. NEW BUSINESS

R-07-2-12 RESOLUTION THAT THE MAYOR AND COUNCIL FINALLY APPROVE “AN ORDINANCE AUTHORIZING EXPENDITURES FOR THE DEPARTMENT OF UTILITIES 2007 CABLE TELEVISION AND INTERNET SERVICES BOND FUND PROGRAM”

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GROTON:

Section 1. Consistent with the recommendation of the Commissioners of the City of Groton, Department of Utilities, the expenditure of \$10,000,000 for the cost of the 2007 Cable Television and Internet Services Bond Fund Program which will provide for the expansion, construction, installation and operation of the Thames Valley Communications, Inc. community antenna television system and internet services network, is hereby approved.

Section 2. This Ordinance shall take effect upon passage.

WHEREAS, this Ordinance was published in The Day, a newspaper having general circulation in the City of Groton on January 5, 2007 and January 6, 2007;

THEREFORE, BE IT RESOLVED that the Mayor and Council finally approve “An Ordinance authorizing expenditures for the Department of Utilities 2007 Cable Television and Internet Services Bond Fund Program”.

Councilor Hale moved **Deputy Mayor Duarte** seconded a motion to approve **R-07-2-12**. Mayor Popp stated that this is the resolution approved earlier this evening at the Freeman’s meeting.

Motion passed unanimously.

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R-07-2-13 RESOLUTION THAT THE MAYOR AND COUNCIL INITIALLY APPROVE “AN ORDINANCE ADOPTING A HARBOR MANAGEMENT PLAN FOR THE CITY OF GROTON”

Be it ordained by the City Council of the City of Groton that the City adopt the plan entitled “City of Groton Harbor Management Plan, December 2006 (“Plan”), prepared by the City of Groton Harbor Management Commission, in accordance with sections 22a-113k, et seq. of the Connecticut General Statutes. Said Plan consists of 53 pages of text, and Appendices A-1 through A-14, B-1, C-1 through C-10 and D-1 through D-7.

Article I: GENERAL PROVISIONS

Sec. 1 **Title:** This Ordinance shall be known as the City of Groton Harbor Management Ordinance.

Sec. 2 **Applicability:**

2-1 GENERAL PROVISIONS

2-1.1 Applicability. The provisions of this chapter and any rules and regulations adopted pursuant thereto shall be applicable, and shall govern the use of harbor lands, waters, and facilities under the jurisdiction of the City of Groton Harbor Management Commission. The ordinance shall be subordinate to all existing federal and state statutes and regulations affecting the City of Groton, and is not intended to preempt any other valid laws. The Harbor Management Commission may from time to time amend the following rules and regulations in accordance with the procedures for harbor plan modifications in the Harbor Management Act.

2-1.2 Authorities. The City of Groton Harbor Master, or his or her designee, under the direction of the City of Groton Harbor Management Commission, shall have the authority to carry out harbor management directives and enforce all provisions of the Harbor Management Plan, including the ordinance. The Harbor Master, or his or her designee, may cite any alleged violators of the ordinance.

2-1.3 Violations. Any violation of the ordinance shall be a municipal infraction and a fine not to exceed \$100.00 shall be imposed for each conviction hereunder. Each day in violation shall be considered a separate, repeat offense and subject to separate citations. A fine not to exceed \$100.00 shall be imposed for each repeat offense.

2-1.4 Water Use Plan. The Water Use Plan, Chapter 5 of the Harbor Management Plan, is hereby incorporated in the ordinance by reference. It indicates the geographic locations where the various provisions of the ordinance apply.

2-1.5 Harbor Management Fund. A Harbor Management Fund will be created to receive and expend monies for harbor management purposes determined by the Harbor Management Commission. All revenues generated by (1) permits if a fee for mooring permits is approved, and (2) fines levied under the provisions of the Harbor Management Ordinance shall be deposited into this fund. Funds shall be disbursed for purposes directly associated with the management of the waters of the City of Groton and implementation of the City of Groton Harbor Management Plan. Monies from this fund may be allocated to the Harbor Master, or his or her designee, for the purpose of enforcing the provisions of the City of Groton Harbor Management Plan and/or the Harbor Management Ordinance. The Harbor Management

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Fund shall be established, budgeted and administered in a manner consistent with the procedure contained within the City of Groton Charter and Connecticut General Statutes Section 22a-113s.

2-1.6 **Amendment Procedure.** A modification to the plan may be proposed at any time and shall be approved in the same manner as the original plan. To begin this process, the proposed modification shall be presented to the Harbor Management Commission. The plan shall be reviewed annually by the commission and the commissioners of Environmental Protection and Transportation pursuant to Section 22a-113m of the Harbor Management Act.

2-2 **FEES**

2-2.1 The Harbor Management Commission shall set a schedule of fees for mooring permits, pursuant to Section 22a-113s of the Connecticut General Statutes.

2-2.2 The fee schedule shall be set by the Harbor Management Commission by November 10th. If the schedule is not set by November 10th, the previous year's fee schedule shall govern until the next season.

2-2.3 There shall be no fee for properly authorized swimming rafts or governmental moorings.

2-2.4 Fees shall be collected by the Harbor Master and deposited to the General Fund of the City of Groton.

2-2.5 Funding of the Harbor Management Commission shall be provided for in accordance with the budgeting process of the City of Groton.

2-3 **HARBOR REGULATIONS**

These regulations are designed to regulate activities in the waters of the City of Groton. The Harbor Management Commission may from time to time amend the following rules and regulations; however, the Harbor Management Commission cannot amend state regulations.

2-3.1 **Wake Regulations** *Vessels are to operate in accordance with state regulation Sec. 15-121-B15l. Pine Island Bay and Baker Cove Regulation.*

Effective May 19, 1994

On the waters of Pine Island Bay and Baker Cove, both located in the City of Groton and the Noank section of the Town of Groton bounded on the west by a line extending from the southernmost point of Avery Point to the westernmost point of Pine Island and bounded on the east by a line extending from the southernmost point of the east bank of Baker Cove to the westernmost point of Bushy Point, the following restrictions shall apply from the fifteenth day of May through the fifteenth day of September:

- (a) All motorboats shall be operated at SLOW - NO - WAKE [with minimum wake, at a speed not to exceed six miles per hour];
- (b) No person shall water-ski and no person shall operate a vessel towing a water-skier.

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2-3.1.1 Slow No Wake A vessel shall not produce more than a minimum wake and shall not attain speeds greater than 6 miles per hour over the ground unless a higher minimum speed is required to maintain steerageway when traveling with a strong current.

2-3.2 Speed Regulations *Vessels are to operate in accordance with state regulations Sec. 15-121-B14. Restricted speed limit.*

Effective November 5, 1991

(a) [Except as provided in Section 15-121-A15(a)(4), no] NO person shall operate a motorboat at a speed in excess of [six miles per hour] SLOW -NO - WAKE within one hundred feet of shore, or of a dock, pier, float, or anchored or moored vessel, unless such motorboat is approaching such float, dock or shore for the purpose of enabling a person engaged in waterskiing to take off or land.

(b) The commissioner may temporarily limit vessel speed to SLOW -NO - WAKE in a construction area. Uniform state waterway marking system controlled area regulatory markers may be placed to indicate the SLOW - NO - WAKE area.

(c) Violation of subsection (a) of this section shall be an infraction.

(d) This section shall not preempt town ordinances or regulations which are adopted in accordance with Section 15-136 of the Connecticut General Statutes and which have more stringent speed limits or distance from shore limits.

2-3.3 Waterskiing Regulations. Waterskiing is to be performed in accordance with state regulations.

2-3.4 Motor Regulations The use of motors may cause environmental damage or safety hazards in some areas; therefore, characteristics and use of motors are regulated. Pursuant to Connecticut General Statutes Section 15-136, ordinances pertaining to operation of vessels must be approved by DEP after local adoption.

2-3.4.1 Given the fragile nature of the habitat and the potential for wetland destruction, the use of an internal combustion engine to power any vessel is prohibited in Birch Plain Creek, north of the Providence and Worcester railroad bridge, with the exception of Law Enforcement Vessels. The use of battery powered electric motors is permitted.

2-3.5 Noise Abatement This prohibition includes, but is not limited to, operating a motor boat without an adequate muffler as provided under Connecticut General Statutes Section 15-129, loud offensive language or behavior, and playing of radios, musical instruments or other noise producing devices so loudly as to constitute a nuisance. No person shall leave a vessel without securing all halyards and other noise producing objects in such a manner as will effectively prevent the production of noise under all reasonably foreseeable conditions.

2-3.6 Discharge of Refuse The provisions of Connecticut General Statutes Section 22a-250, inclusive, shall be strictly enforced with respect to discharge of refuse.

2-3.7 Marine Sanitation Devices: The provisions of Connecticut General Statutes Sections 15-170 through 15-175, inclusive, shall be strictly enforced with respect to marine toilets.

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2-3.8 **Mooring Allocation/Assignment.** Pine Island Bay Mooring Grid is shown on Page 40 of this Plan. Per U.S. Army Corps of Engineer's Permit #1990-00882 and Connecticut DEP Permit # 199500782-KH, those moorings inside the area shown in their permit are assigned to the Shennecossett Yacht Club for use by their members. Two moorings in the southern portion are to be designated "Transient Moorings". As per U.S. Army Corps of Engineer's Permit # 1982-00251 and Connecticut DEP Permit # 199600496-SG, those moorings inside the area shown in their permit are assigned to Pine Island Marina for its use by their customers. Individual assignment of these moorings will be controlled by Shennecossett Yacht Club and Pine Island Marina respectively. A single mooring permit is issued by the Harbor Master to Pine Island Marina with the total number of locations assigned to it. No mooring permit is issued by the Harbor Master for any moorings in the Shennecossett Yacht Club assigned areas. All other moorings will be individually assigned to the General Public.

2-3.8.1 The Eastern Point mooring area, as shown on the Water Use Plan, will be reserved for the general public and a separate waiting list will be established if required.

2-3.8.2 Moorings location, scope length, and minimum ground tackle shall comply with the minimum mooring tackle requirements in Section 2-3.8.19. Locations where moorings are permitted are shown on the Water Use plan maps.

2-3.8.3 No mooring is to be placed in the waters of the City of Groton without a permit from the City of Groton Harbor Master. Moorings will be assigned without regard to residency.

2-3.8.4 Any mooring buoys so permitted by the Harbor Master must be in compliance with the shape, color and layout as required under existing Regulations of Connecticut State Agencies (RSCA) Sec.15-121-A3(a).

2-3.8.5 Any mooring permit granted by the City of Groton Harbor Master shall expire on December 15th in the year of its issue.

2-3.8.6 Application to the Harbor Master must be made on a form provided by the Harbor Master annually.

2-3.8.7 Upon granting a mooring permit, the Harbor Master shall send the permit to the applicant at the address shown on the permit application.

2-3.8.8 Any time a mooring location is eliminated due to improvements, expansions, etc., the persons holding a General Public Permit on said mooring will immediately move to the top of the mooring waiting list. Those that are Commercial or Yacht Club will absorb the loss without replacement.

2-3.8.9 Fees shall be set by the Harbor Management Commission no later than November 10th for the following year.

2-3.8.10 Applications may be made to the Harbor Master after December 1st. Applications for mooring permits will only be accepted for Connecticut registered vessels or documented vessels with a Connecticut certification decal. Connecticut vessels legally exempt from registration may also be

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granted mooring permits. Subleasing or long term loaning of a mooring to other than the designated permittee is prohibited.

2-3.8.11 Any applicant denied a permit may, at his option, have his name placed on a waiting list which shall be kept by the City Clerk, acting as the agent for the Harbor Master. This list shall be available to the general public during normal working hours.

2-3.8.12 No name shall be placed on the waiting list unless an application has been received.

2-3.8.13 If a suitable mooring becomes available the Harbor Master will notify the applicant. The applicant will have 30 days to make payment for the mooring permit. Upon payment for the mooring permit the Harbor Master will issue the permit. If the applicant fails to pay for the mooring permit no permit will be issued and the applicant will lose his place on the waiting list and go to the bottom of the list.

2-3.8.14 Beginning January 10th the Harbor Master shall fill available General Public mooring locations in the following order of priority.

- a. Applications from shorefront property owners whose land abuts the waterway in which the mooring is to be placed. This priority classification is usable for only one mooring per property.
- b. Previous year permits shall be renewed upon application, unless unused for more than one season by the permittee.
- c. Applications from private individuals.
- d. Additional applications from clubs, associations, or marinas whose property abuts the waterway in which the mooring is placed. These permits shall be limited to one year and will not have the rights outlined in section 2-3.8.14 b.

2-3.8.15 Commercial moorings require a Corps of Engineers Permit under Section 10 of the Rivers and Harbors Act of 1899 and a Connecticut Department of Environmental Protection Permit. The Harbor Master will use his judgment in cases where he considers that mooring locations are a threat to public safety. Private moorings that are located in Federal Navigation Projects, associated with any boating facility or that may interfere with navigation need to be approved by the Corps of Engineers.

2-3.8.16 In granting applications, the Harbor Master shall consider:

- a. The priority list
- b. Whether a suitable mooring location is available as to length of boat, type of boat, weight of boat, displacement and draft of boat.

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- c. The Harbor Master will be afforded reasonable discretion in enforcing these allocations/assignments for unusual or special circumstances such as extremely deep draft, use by handicapped and abutting property owners.

2-3.8.17 Available moorings shall be offered to the senior applicant on the mooring list, subject to the constraints contained in these regulations. If the available mooring location is not suitable to accommodate the senior applicant's vessel or specific needs, it shall be offered to the next senior qualified applicant. The senior applicant shall retain his or her place on the waiting list in this case. The Harbor Master shall continue efforts to provide a suitable mooring location for the senior applicant. If the senior applicant refuses a mooring location which is suitable for his or her vessel in the opinion of the Harbor Master, the person shall be moved to the bottom of the waiting list.

2-3.8.18 Moorings in Pine Island Bay shall be set on the grid points of the plan contained in the Harbor Management Plan and made part of this ordinance by reference. The grid points are on 75 foot centers. The scope length must be 45 feet.

2-3.8.19 Minimum mooring tackle requirements.

- a. Minimum size for anchors and chains are given in the following table of specifications:

Boat Length Overall	Minimum Mushroom Weight	Min Size of 1 st of Chain	Min Size of 2 nd of Chain	Min Size of 15 ft Polyester Pendant Diameter
Under 15'	75#	1/2"	1/4"	3/8"
15' to 20'	100#	5/8"	5/16"	3/8"
20' to 25'	150#	3/4"	3/8"	1/2"
25' to 30'	200#	7/8"	7/16"	5/8"
30' to 35'	250#	1"	1/2"	3/4"
Over 35'	300#	1"	1/2"	7/8"

- b. Minimum scope length is set by the Harbor Management Commission for mooring grid purposes or six times the depth at the anchor at mean low water at the discretion of the Harbor Master.
- c. These minimum requirements do not mean that the required tackle is adequate for any boat. They are intended to provide a minimum standard reasonable for most conditions, but not to guarantee safety under extreme conditions. The City assumes no responsibility for these requirements.
- d. Newer type anchoring systems may be used in lieu of a mushroom anchor with the approval of the Harbor Master.

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- 2-3.8.20** All mooring tackle shall be inspected to ascertain that adverse impacts to the benthic environment and organisms, including eel grass beds, are minimized. The inspection of moorings in Pine Island Bay will be at a time interval determined by the Harbor Master. Method of inspection of mooring will be as deemed appropriate by the Harbor Master. Possible solutions to problems found during inspection include removal of the offending mooring, alternate tackle (such as a screw mooring), or relocation of the mooring to avoid the adverse impact to eelgrass. Primary responsibility for compliance with such orders and directions shall rest with the owner of the improperly anchored or moored vessel or his authorized agent.
- 2-3.8.21** Moorings may not be located in a Federal Navigational Channel or other channels fairways under the control of the Harbor Master. Private moorings that are located in Federal Navigation Projects, associated with any boating facility or that may interfere with navigation, need to be approved by the Corps of Engineers.
- 2-3.8.22** The Harbor Master may order any unpermitted mooring, or mooring interfering with a fairway, channel or other permitted mooring, removed at the owner's expense. If ownership of said removed mooring is undetermined ninety (90) days after removal, the Harbor Master may sell said mooring tackle with the receipt being deposited to the Harbor Management Fund after expenses are paid.
- 2-3.8.23** **Correcting an Unsafe Anchorage or Mooring.** If any vessel shall be found in the judgment of the Harbor Master to be anchored or moored within any harbor or maritime facility in an unsafe or dangerous manner, or in such a way as to create a hazard to other vessels or to persons or property or cause water pollution, the Harbor Master shall order and direct necessary measures to eliminate such unsafe or dangerous condition. Primary responsibility for compliance with such orders and directions shall rest with the owner of the improperly anchored or moored vessel or his authorized agent; in the absence of such owner or agent, said responsibility shall rest with the authorized operator of the vessel or the facility at which the vessel is anchored or moored. In an emergency situation and in the absence of any such responsible person, the Harbor Master shall forthwith board such vessel and cause the improper situation to be corrected, and the owner of the vessel shall be liable for any costs incurred by the Harbor Master or his agents in effecting such correction.
- 2-3.8.24** **Unseaworthy Vessels:** No person shall secure or permit to be anchored or moored in a harbor, waterway, or maritime facility a vessel of any kind whatsoever which the Harbor Master considers unseaworthy or in a badly deteriorated condition, or which is likely to sink or to damage docks, wharfs, floats, and/or other vessels, or cause water pollution, or which may become a menace to navigation. Such vessels shall be removed from the water and/or be otherwise disposed of as directed by the Harbor Master per Connecticut General Statutes Section 15-11a.

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2-3.8.25 There are to be no general public moorings placed in Baker Cove, Calf Pasture Cove, or Birch Plain Creek for reasons of navigation and potential environmental damage. However, to allow shorefront property owners to retain use of their property for boats that may not be appropriately stationed at a pier or dock, shorefront property owners along Baker Cove may be allowed 1 mooring to be placed directly in front of their property, if this is the most appropriate means of riparian or littoral access. This mooring may only be used if the swing of the moored boat does not interfere with riparian access by adjacent shorefront property owners.

2-4 TRANSIENT BOATS

Two Shennecossett Yacht Club moorings are designated for transient use.

Transients may anchor or use transient moorings as they become available. The Harbor Master will monitor demand for transient moorings and will recommend to the Harbor Management Commission the number of required moorings and the areas they should be placed on an annual basis. All anchorages and moorings for transients are on a first come, first serve basis and may be assessed a usage fee for use of a mooring, if so established by the Harbor Management Commission.

2-4.1 **Transient Moorings** May be used for three consecutive days or extended with approval of the Harbor Master.

2-4.2 Both Shennecossett Yacht Club and Pine Island Marina, through their respective dock masters, provide mooring facilities for transient boaters by utilizing moorings that are not occupied by the assigned vessel for short periods.

2-5 **DEFINITIONS**

2-5.1 **Anchoring:** A boat is anchored when it “rides” or “lays” to a single anchor rode, although it is conceivable to have 2 anchors in tandem on that rode.

2-5.2 **Channel:** refers to any water areas officially marked and maintained to permit unobstructed movement of vessels.

2-5.3 **Coastal Boundary:** Refers to the boundary as defined in Connecticut General Statutes (CGS Section 22a-94 (current January 1, 2003)). Within the coastal area, there shall be a coastal boundary which shall be a continuous line delineated on the landward side by the interior contour elevation of the one hundred year frequency coastal flood zone, as defined and determined by the National Flood Insurance Act, as amended (USC 42 Section 4101, P.L. 93-234), or a one thousand foot linear setback measured from the mean high water mark in coastal waters, or a one thousand foot linear setback measured from the inland boundary of tidal wetlands mapped under section 22a-20, whichever is farthest inland; and shall be delineated on the seaward side by the seaward extent of the jurisdiction of the state.

2-5.4 **Commercial Mooring:** refers to those moorings that are rented or leased.

2-5.5 **Dockmaster:** refers to the official designated by the owner[s] or decision-making body of a public, private or commercial enterprise that offers dock space or moorings.

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2-5.6 Fairway: The parts of a waterway kept open and free of all moorings and reserved for the unrestricted movement of vessels. This is a locally designated fairway and not federally designated nor protected by government policies.

2-5.7 Federal Emergency Management Agency National Flood Insurance Program:

A1 - A30 Zones Areas of 100-year flood; base flood elevations and flood hazard factors determined.

B Zones Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.

VI -V30 Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

2-5.8 General Public Mooring: refers to those moorings reserved for the general public.

2-5.9 HMA. The Harbor Management Act: The legislation contained within the State of Connecticut General Statutes, Sections 22a-11k through 22a-113t and as may be amended.

2-5.10 HMC. The Harbor Management Commission: The local municipal commission established under and carrying out the responsibilities authorized by the Connecticut Harbor Act.

2-5.11 Harbor Master: : a person appointed by the Governor pursuant to Connecticut General Statutes Section 15-1, who is charged with the general care and supervision of their waters of jurisdiction under the supervision of the Department of Transportation. Among their main responsibilities, is keeping channels and established fairways clear of obstructing vessels. The Harbor Masters authority to issue mooring permits is derived from Connecticut General Statutes Section 15-8. Harbor Masters are ex officio members of any Harbor Management Commission, and are required to exercise their authority consistent with an approved Harbor Management Plan, adopted pursuant to Connecticut General Statutes Section 22a- 113m, where one exists.

2-5.12 Moor: To secure a vessel to a mooring.

2-5.13 Mooring: Permanent moorings are variations on the anchoring theme wherein the boat is secured in place by means of a ground tackle which is normally not part of the boat's on-board equipment. The single point mooring concept is similar to anchoring in that the boat is allowed to swing with wind and current, but it has the convenience of the operator' or crew not having to handle heavy ground tackle on board the boat.

2-5.14 Mooring Tackle: refers to the hardware and cordage used to secure a vessel at a mooring.

2-5.15 Open-to-All on Equal Terms: Federal navigation projects must be managed in the general public interest and must be accessible and available to all on equal terms. Any number of approaches may be used to assure that all citizens desiring mooring or other access to the projects are treated impartially; it is not the Federal Government's intention to prescribe specific procedures.

A management system shall be considered acceptable provided that it:

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- Makes no arbitrary distinction or requirement of any kind in allocating use of the project and ancillary facilities and services to the public except as may be consistent with the purpose for which the project was constructed.
- Does not impose arbitrary fees or arbitrary variations in fees among users. The cost of providing necessary management and ancillary facilities and services may be offset through equitable user fees based on the actual costs incurred.
- Information pertinent to harbor management - including but not limited to rules and regulations, lists of mooring holders, waiting lists, and fee schedules - shall be readily available to the public at all times

2-5.16 Small Craft: a vessel 65 feet or less in length.

2-5.17 Special Anchorage Area: areas where vessels under 20 meters in length are not required to exhibit anchor lights, day shapes, or sound fog signals as required by the Inland Rules.

2-5.18 Speed: The rate which a vessel transits the water.

2-5.19 Transient Anchorage: refers to any area reserved and designated on the Water Use Plan for the exclusive short term use of commercial and recreational vessels.

2-5.20 Vessel: refers to every description of watercraft, other than a seaplane on water, used or capable of being used as a means of transportation on water.

2-5.21 Wake: Waves caused by the passage of a vessel through the water. These waves are a function of water displaced by the vessel and are generally unrelated to excessive speed.

2-5.22 Water-dependent uses: means those uses and facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland, including but not limited to; Marinas, recreational and commercial fishing and boating facilities, finfish and shellfish processing plants, waterfront dock and port facilities, shipyards and boat building facilities, water-based recreational uses, navigational aides, basins and channels, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or process water which cannot reasonably be located or operated at an inland site and uses which provide general public access to marine or tidal waters.

WHEREAS, this Ordinance shall be effective upon passage;

THEREFORE, BE IT RESOLVED that the Mayor and Council initially approve “An Ordinance adopting a Harbor Management Plan for the City of Groton”.

Councilor Popp moved **Councilor Duffy** seconded a motion to approve **R-07-2-13**. Mayor Popp asked about the fees that can be collected and deposited in the General Fund. He wanted to know if that is already set up. Finance Director Timpano said it is already in place. The Mayor and Councilors thanked Chairperson Hedrick and the Harbor Management Commission for a job well done.
Motion passed unanimously.

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**R-07-2-14 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE
2007 CITY OF GROTON RECREATION DEPARTMENT USER FEES**

WHEREAS, the City of Groton offers a variety of leisure services and facilities to the citizens of all age groups; and

WHEREAS, the City of Groton has established fees and charges to help underwrite the program costs; and

WHEREAS, the Beach and Parks Committee has reviewed the user fees and recommends the proposed fee structure as follows:

INTRODUCTION

The City of Groton offers a variety of leisure services to the citizens of all age groups. A significant portion of the services has been underwritten through general fund appropriations. Some programs instituted between fiscal years have been supported with fees paid by the participants. As a result, inconsistencies among programs serving the same constituents have developed.

The City of Groton Parks and Recreation Department is charged with the responsibility of planning, conducting, and supervising of recreational programs and activities as well as the operational, maintenance and management of these facilities.

Community recreational and park services are a municipal responsibility; however, the magnitude of the service and its economic impact should be reviewed annually to determine a reasonable ratio of community desires in accordance with the City of Groton's ability to financially support these services. The City of Groton should establish fees and charges to underwrite the program costs. There are certain programs that should not have a participant charge, particularly when the specific program serves large numbers of people for a nominal total cost, for example, the City Day picnic.

1. Basic Services

The City of Groton should support the concept that the general fund should provide the cost of basic park and recreation services based on the following:

- a. Qualified staff to promote and expand leisure services.
- b.
- c. Positive recreational experiences which contribute to the individual's physical, social, emotional, creative, cultural and educational growth and development in order to enrich the quality of life.
- c. Development and maintenance of park and recreation facilities such as playgrounds, parks, athletic fields, picnic areas, beach, tennis courts, nature and fitness trails.

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2. Extended Services

Extended services are services in excess of basic services. For example a specialist performing a professional service, programs requiring an instructor or specialist that costs more per hour than the authorized department pay structure.

3. Eastern Point Beach Fees

The recommendation is that each January the beach rates be reviewed on the past year's figures and rates set to reflect a 25% to 50% recovery.

Vehicles

Vehicles eligible to enter Eastern Point Beach will be as follows:

- Registered passenger vehicles not exceeding 12 passenger capacity
- Pick-up trucks
- Motorcycles
- Buses, trailers, mobile homes, etc. are prohibited.

Parking Permits

Seasonal Rates

City resident/City taxpayer 62 years old and older*	\$10.00
City resident/City taxpayer	\$30.00
Non-resident 62 years old and older*	\$45.00
Non-resident	\$65.00
Special Pass: City resident/City taxpayer 62 years old and older*	\$10.00

(Available only to a City resident with no motor vehicle in the household determined on a case-by-case basis by the Director of Parks and Recreation.)

* To be eligible for this rate, an individual must be 62 years of age on or before Labor Day.

Daily Rates

Weekday	\$10.00
Weekend/Holidays*	\$20.00

*The holidays would be July 4th, and Labor Day.

Temporary Parking Permits:

A temporary parking permit is available free of charge for current parking permit holders whose vehicle is in the repair shop for up to five (5) days. These permits are available by bringing a written statement from the repair shop, written on their letterhead, which details which vehicle is being repaired and the number of days the vehicle will be in the shop. Letters are to be presented

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Summer Playground. The City of Groton operates a large summer playground program at Washington Park. It requires extensive supervision for six hours per day, during an eight-week period covering Monday through Friday. A nominal registration fee is assessed to cover the cost of extended services at the playground (arts and crafts program, playground T-shirts, bus trips, refreshments, etc.). For a full day, the rates charged are as follows: \$100.00 for the first child, and \$80.00 for the second child. If a child attends for half-day sessions, the rates are: \$70.00 for the first child, and \$40.00 for the second child.

- a. **Tennis Courts (lighted).** The Parks and Recreation Department supervises six lighted courts at Washington Park. If a permit and reservation system is implemented, the participants shall be expected to pay for the cost of those extended services. All league play will be charged \$10.00 per court per day.
- b. **Recreation Trips.** Trips beyond the City of Groton boundaries (educational, cultural, professional sports, etc.) are part of a comprehensive leisure program. Participants in these programs pay all costs to include bus, admission fees, meals, etc.

5. Facility Rentals

Pavilions. The City presently has six (6) pavilions at Washington Park. The policy states our rates are to be consistent with area towns. The rates are as follows:

	Large Pavilions #1,3 & 5 Per Rental	Regular Pavilion #2, 4 & 6 Per Rental
City resident	\$ 50.00	\$ 25.00
Non-resident	\$100.00	\$ 50.00
City business	\$100.00	\$ 50.00
Outside business	\$150.00	\$100.00

* All members of the Military will receive a 10% discount off the rental of the Pavilions at Washington Park upon presenting valid proof of military service.

Ball Fields Fee Structure:

Group 1	<u>All youth groups regular season games.</u>	No fee
Group 2	<u>Youth League District or State Tournaments.</u> Includes one game field setup and preparation.	No fee
	City employee on site to prepare fields for series of games: Saturdays \$60.00 per hour Sundays \$80.00 per hour	
Group 3	<u>University of Connecticut, Avery Point.</u>	No fee

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Group 4	<u>Adult Leagues.</u>	\$20.00 per game weekdays \$30.00 per game weekends
Group 5	<u>Adult Tournaments.</u>	\$100.00 per day
Group 6	<u>Adult Tournaments.</u> Examples: Fundraisers for charities like Jimmy Fund and United Way.	No fee
Group 7	<u>Baseball Camps.</u> Examples: Navigators Camp would pay \$250.00 for one week half days.	\$100.00 full day \$50.00 half day

Zbierski House:

The overall policy of the Parks and Recreation Department is to allow as many groups or organizations use of the facility as possible. If conflicts arise, the Department will use its discretion in making reservations that promote the widest public use of the facility. This policy may affect Friday through Sunday use especially.

A fifty-dollar (\$50.00) cash security deposit will be held at the Parks & Recreation office for each Zbierski House reservation until verification of clean up and the return of the key has been confirmed.

There will be a maximum of 20 parking spaces allotted with any Zbierski house rental at a cost of \$5.00 per vehicle when the beach is officially open.

Group 1	<u>City, Town, State, and Federal Government Groups:</u> Example: Beach and Park Committee, EPHD Committee.	No fee
Group 2	<u>Civic, Charitable or Non-Profit Groups:</u> Example: AA, Church group, Quilters Club, EPPOA.	\$25.00 for three hours
Group 3	<u>Individual Private Parties:</u> City Resident: Non-resident:	\$20.00 per hour \$50.00 per hour
Group 4	<u>Businesses:</u> City: Outside City:	\$ 50.00 per hour \$100.00 per hour

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THEREFORE, BE IT RESOLVED that the Mayor and Council approve the 2007 City of Groton Recreation Department User Fees.

Deputy Mayor Duarte moved **Councilor Duffy** seconded a motion to approve **R-07-2-14**. Mayor Popp said that this had all been discussed at length during the January 26th Committee of the Whole meeting. **Motion passed unanimously.**

R-07-2-15 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE RULES AND REGULATIONS AT EASTERN POINT BEACH FOR THE YEAR 2007 SEASON

WHEREAS, Eastern Point Beach is for the use and enjoyment of City of Groton residents and non-resident City of Groton taxpayers and others; and

WHEREAS, rules and regulations must be established and enforced for the health, safety and welfare of all City of Groton residents and non-resident City of Groton taxpayers and others; and

WHEREAS, the following rules and regulations are to be effective for Eastern Point Beach for the Year 2007 season:

**RULES AND REGULATIONS
(Subject to change at any time during the season)**

Eastern Point Beach is for the use and enjoyment of City of Groton residents and non-resident City of Groton taxpayers and others.

Hours

Lifeguards on duty 9:00 a.m. to 6:00 p.m., daily.

Vehicles:

Vehicles eligible to enter Eastern Point Beach will be as follows:

Registered passenger vehicles not exceeding 12 passenger capacity
Pick-up trucks
Motorcycles

Buses, trailers, mobile homes, etc. are prohibited.

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Parking Permits:

Seasonal Rates:

City Residents/City Taxpayers 62 years old and older*	\$10.00
City Resident/City Taxpayer	30.00
Non-resident 62 years old and older*	45.00
Non-resident	65.00
Special Pass City resident/City taxpayer 62 years and older**	10.00

** (Available only to a City resident with no motor vehicle in the household determined on a case-by-case basis by the Director of Parks and Recreation)

* To be eligible for this rate, an individual must be 62 years of age on or before Labor Day.

Daily Rates:

Weekday	\$10.00
Weekends/Holidays*	\$20.00

*The holidays would be July 4th and Labor Day.

Temporary parking permits:

A temporary parking permit is available free of charge for current parking permit holders whose vehicle is in the repair shop for up to of five (5) days. These permits are available by bringing a written statement from the repair shop, written on their letterhead, which details which vehicle is being repaired and the number of days the vehicle will be in the shop. Letters are to be presented at the Parks and Recreation office Monday through Friday from 8:00 am to 4:30 pm to request the temporary parking pass.

Buses:

Bus trips are limited to no more than three (3) per day. Reservations are required in advance by contacting the Parks and Recreation office at 446-4128. The charge for buses will be \$100.00 per bus per day. There will be no charge for City of Groton Recreation program buses.

Walk-ins:

City Residents FREE Valid Driver's license/City ID card (Limit 2
guests per resident, must be accompanied by the resident)

Non-residents 5 years of age and older \$5.00

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All City residents 17 years of age or older who are walking or bicycling into the beach will be allowed entry for no charge provided they present current proof of City residence with picture ID. Any City residents between the ages of 5 and 17 can walk or bicycle into the beach without charge with proof of residence which may be in the form of an ID bracelet provided free of charge and available at the Beach and Parks office. Residents who do not have a current and valid driver's license can obtain a picture ID at the Parks and Recreation office. All non-City residents 5 years of age and older will be charged the current \$5.00 daily rate to enter the beach.

New parking permits will be issued by the showing of a current and valid motor vehicle registration. City of Groton residents or City taxpayers whose registration does not show their City of Groton address must show proof of residence (examples: electric bill or current lease agreement). The permit must be fixed to the driver's side of the vehicle on the inside of the windshield, in the lower left corner. The permit on the vehicle must match the registration number on the permit purchased.

Starting at 6:00 p.m. daily there will be no charge for entrance to the beach.

Families of crew members of submarines returning home or departing may be allowed access to Eastern Point Beach at no cost to view the boats by obtaining permission in advance from the Director of Parks and Recreation or his designated representative.

Fishing

An area at the far end (northwest end) of parking area is open to fishing. Fishing on any other area of beach property is prohibited.

Parking

1. All motorized vehicles (as defined in eligibility rule #1) require a season permit to gain entrance to the beach. The permit must be displayed on the windshield in the corner of the driver's side of vehicle. Motorcycles must laminate pass and display to gate attendant each time they enter Beach property.
2. All vehicles must be parked in the designated parking spaces in the parking area. Do not park along yellow curbing or yellow striped area.
3. No vehicle parking or standing allowed in any part of the entrance driveway (strictly enforced).
4. Drop-offs and pick-ups must be done in the designated Loading Zone white curbing area (strictly enforced).
5. Parking pass does not guarantee a parking place. Parking will be limited to City of Groton residents and non-resident taxpayers when the parking lot reaches 80% of capacity.

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Rules and Regulations

1. Dressing or undressing will not be permitted in any areas other than those designated for that specific purpose.
2. No profanity, obscenities or vulgarity, spitting, towel snapping or fighting is allowed on Beach property.
3. No throwing of stones, sand or other objects are allowed on beach property.
4. Children ten (10) years of age or younger must be accompanied by a person at least twelve (12) years of age to gain admittance to use the beach property.
5. Animals/Reptiles will not be permitted on beach property or in any vehicle entering beach property at any time. (Except for licensed seeing eye or hearing dogs).
6. No gambling on beach property.
7. No running is permitted on sandy beach area.
8. No climbing walls.
9. Ball playing is prohibited on the beach or Tyler House lawn.
10. No crockery, glassware or picnicking is allowed on sandy areas.
11. Scuba diving is only permitted on the Thames River side of beach property. Wind surfing, canoes, sunfish, and jet skis are restricted to the beach area in front of Zbierski House.
12. No tents or screens allowed on the sandy beach area or Tyler House lawn. Small child cabanas are permitted, but must not restrict the view of others to water.
13. No swimming off the rocks, breakwater or parking lot area.
14. No alcoholic beverages will be allowed anywhere on beach property.
15. No patrons should set up blankets or towels in front of the lifeguard stand so to block lifeguard's direct route to the water.
16. All garbage is to be carefully put into the containers provided. No littering allowed. Cigarette butts must be taken away by smoker or put in butt containers provided.
17. No overnight camping on the beach property.

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18. No flotation devices are allowed. No inflatable toys, air mattresses, boats or inner tubes are allowed. Special devices are allowed for children with special needs.
19. No skateboards, roller-skates, roller blades, razor scooters are to be used on beach property.
20. No bicycle riding on beach property. Bikes must be stowed in bike racks.
21. Proper beach attire is required: No thongs or “G” strings allowed. Nudity is prohibited.
22. Radios, music boxes, etc., should maintain a volume as not to disturb others.
23. Abuse and violation of any rules and regulations listed herein may lead to loss of parking permit (subject to review by the Recreation Director).

Beach Picnic Area

1. Picnicking will be allowed only in designated areas. No picnicking will be allowed on the sandy area of the beach.
2. All cooking must be within the picnic areas.
3. The use of the picnic facilities on the grounds is on a first come, first-serve basis; reservations of areas for clubs or organizations must be requested in writing to the Parks and Recreation Department. Use of facilities for groups of more than 25 people may be prohibited on Saturdays, Sundays and holidays.
4. Picnic tables are distributed to benefit the general public. Special requests can be made to the office for permission to move tables together for larger groups.

Do NOT Feed the Wildlife

People naturally enjoy the good feeling they get from feeding waterfowl. They like to get close to them and feel that supplementing the natural diet of wild ducks and geese with corn, bread and other household foods helps them survive better in the wild. But there are several things we should consider concerning the welfare of animals being fed:

1. Artificial feeding and close human contact changes the natural behavior of wildlife. It alters migrating instincts and can reduce their ability to survive in the wild. Fed wildlife can get use to human presence – ultimately to their detriment from hunters, etc. The periodic welfare given to wildlife by supplemental feeding causes a difficult adjustment. The periodic supplemental feeding is too often given when the wild ducks need it least – during the moderate weather. When it ends abruptly, they do not have access to alternate food sources.

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2. Artificial bird food items such as bread can also cause dietary deficiencies when they become the primary food sources. Research has shown that trace elements available only in a balanced, natural diet of wild duck foods are essential to promote good health in wild fowl.
3. Large numbers of waterfowl are concentrated by supplemental feedings practices, the possibility of a waterfowl disease epidemic is increased. Some parasitic, bacterial, and viral diseases can be spread from ducks to people and other wildlife.

Feeding wild ducks “people food” is the equivalent of “junk food” welfare. Wild ducks are capable of finding their own food, even in cold winter months of January and February. In periods of extremely abnormal cold, biologists and conservation officers monitor the conditions of wild ducks, and if they need supplemental feeding, they will make that publicly known and do something about it.

If you or your children enjoy feeding ducks, do it at the zoo, park, or nature center where it is approved.

Remember: **FEEDING WILD DUCKS MAY MAKE YOU FEEL GOOD, BUT IT IS NOT HELPING THEM.**

THEREFORE BE IT RESOLVED that the Mayor and Council approve the Rules and Regulations at Eastern Point Beach for the Year 2007 season.

Councilor Duffy moved **Councilor Hale** seconded a motion to approve **R-07-2-15**. **Motion passed unanimously.**

R-07-2-16 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE AWARD FOR AUDITING SERVICES FOR FISCAL YEAR JULY 1, 2006 TO JUNE 30, 2007 TO KOSTIN, RUFFKESS AND COMPANY, LLC, 76 BATTERSON PARK ROAD, FARMINGTON, CONNECTICUT, TO BE PAID FROM CITY, ELECTRIC AND WATER GENERAL FUNDS

WHEREAS, the Mayor, with the approval of the City Council, appoints an auditor for each year;

THEREFORE, BE IT RESOLVED that the Mayor and Council approve the award for auditing services for Fiscal Year July 1, 2006 to June 30, 2007 to Kostin, Ruffkess and Company, LLC, 76 Batterson Park Road, Farmington, Connecticut to be paid from City, Electric and Water General Funds.

Councilor Galbraith moved **Councilor Street** seconded a motion to approve **R-07-2-16**. **Motion passed unanimously.**

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R-07-2-17 RESOLUTION THAT THE MAYOR AND COUNCIL GRANT AN EXTENSION OF LICENSE AND WAIVE THE SECURITY DEPOSIT TO ROBERT AND PATRICIA GARCIA, DBA EASTERN POINT BEACH CONCESSION, 11 AVON PLACE, MYSTIC, CONNECTICUT, TO OPERATE A REFRESHMENT FACILITY AT EASTERN POINT BEACH FOR THE 2007 SEASON

WHEREAS, Section 2 of the Eastern Point Beach Agreement states that said term may be extended each one (1) year if the licensee gives written notice of said extension and all financial and/or other obligations from the prior year have been satisfied; and

WHEREAS, Robert and Patricia Garcia, dba Eastern Point Beach Concession, have notified the City of Groton that they wish to extend their license and waive the \$1,500.00 security deposit;

THEREFORE, BE IT RESOLVED that the Mayor and Council grant an extension and waive the security deposit to Robert and Patricia Garcia, dba Eastern Point Beach Concession, 11 Avon Place, Mystic, Connecticut, to operate a refreshment facility at Eastern Point Beach for the 2007 season.

Councilor Street moved **Councilor Hale** seconded a motion to approve **R-07-2-17**.

Mayor Popp said the information arrived after the January 26th Committee of the Whole meeting and he thought the Council would want to move on this without delay.

Motion passed unanimously.

R-07-2-18 RESOLUTION THAT THE MAYOR AND COUNCIL RESCIND RESOLUTION R-07-1-10 TO APPROVE THE PURCHASE OF ONE (1) DESIGNJET 4500 SERIES PRINTER FOR THE PUBLIC WORKS DEPARTMENT ENGINEERING OFFICE FROM W.B. MASON COMPANY, INCORPORATED, 99 BALD HILL ROAD, CRANSTON, RHODE ISLAND, FOR A TOTAL PRICE OF \$10,163.91 (TEN THOUSAND ONE HUNDRED SIXTY-THREE DOLLARS AND NINETY-ONE CENTS) TO BE PAID FROM CAPITAL FUNDS

WHEREAS, Resolution R-07-1-10 was passed by City of Groton Council on January 16, 2007 to purchase one (1) Series 4500 DESIGNJET large format printer for the Public Works Department Engineering office from W.B. Mason Company, Incorporated, 99 Bald Hill road, Cranston, Rhode Island; and

WHEREAS, upon passage of the resolution, the City of Groton Purchasing Agent uncovered an additional charge of approximately \$400.00 in installation fees; and

WHEREAS, subsequently Design Products Company, 33 Alumni Road, Newington, Connecticut, submitted a quote for \$10,225.00, approximately \$330.00 less than the final price from W.B. Mason;

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THEREFORE, BE IT RESOLVED that the Mayor and Council rescind Resolution R-07-1-10 to approve the purchase of one (1) DESIGNJET printer for the Public Works Department Engineering office to be purchased from W.B. Mason Company, Incorporated, 99 Bald Hill Road, Cranston, Rhode Island, for a total price of \$10,163.91 (Ten Thousand One Hundred Sixty-Three Dollars and Ninety-One Cents) to be paid from Capital Funds.

Councilor Hale moved **Deputy Mayor Duarte** seconded a motion to approve **R-07-2-18**. Mayor Popp said that after this was approved at the January 16th Mayor and Council meeting Purchasing Agent Dave McCord was informed of a \$400.00 installation fee. He was able to find the product elsewhere with no installation fee. **Motion passed unanimously.**

R-07-2-19 RESOLUTION THAT THE MAYOR AND COUNCIL AUTHORIZE AND APPROVE THE PURCHASE OF ONE (1) DESIGNJET 4500 SERIES PLOTTER FOR THE PUBLIC WORKS DEPARTMENT ENGINEERING OFFICE FROM DESIGN PRODUCTS COMPANY, 33 ALUMNI ROAD, NEWINGTON, CONNECTICUT, FOR A TOTAL PRICE OF \$10,225.00 (TEN THOUSAND TWO HUNDRED TWENTY-FIVE DOLLARS AND NO CENTS) TO BE PAID FROM CAPITAL FUNDS

WHEREAS, the Public Works Department Engineering office identified the need to purchase one (1) Series 4500 DESIGNJET large format printer; and

WHEREAS, the City Purchasing Agent obtained quotes for this printer; and

WHEREAS, Design Products Company, 33 Alumni Road, Newington, Connecticut quoted the lowest price and the City Purchasing Agent deemed it to be the most advantageous quote for the City.

THEREFORE, BE IT RESOLVED that the Mayor and Council authorize and approve the purchase of one (1) Series 4500 DESIGNJET plotter for the Public Works Department Engineering office to be purchased from Design Products Company, 33 Alumni Road, Newington, Connecticut, for a total price of \$10,225.00 (Ten Thousand Two Hundred Twenty-Five Dollars and No Cents) to be paid from Capital funds.

Councilor Poppe moved **Councilor Hale** seconded a motion to approve **R-07-2-19**. **Motion passed unanimously.**

R-07-2-20 RESOLUTION THAT THE MAYOR AND COUNCIL AUTHORIZE GROTON UTILITIES' MANAGEMENT TO ISSUE A PURCHASE ORDER TO JKS SYSTEMS/WOODS, 18 RUBY ROAD, MARLBOROUGH, CONNECTICUT FOR AN AUTOMATIC CALL DISTRIBUTION TELEPHONE SYSTEM SOLUTIONS, INCLUDING A THREE-YEAR MAINTENANCE AGREEMENT, AT A TOTAL COST NOT TO EXCEED ONE HUNDRED TWENTY-EIGHT THOUSAND FOUR HUNDRED FIFTY-THREE DOLLARS AND EIGHTY-FOUR

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CENTS (\$128,453.84) WITH NINETY-SIX THOUSAND NINE HUNDRED THIRTY-THREE DOLLARS AND FORTY CENTS (\$96,933.40) PAID FROM NON-BONDED CAPITAL AND DEPRECIATED OVER A FIVE-YEAR PERIOD AND THE THREE-YEAR MAINTENANCE AGREEMENT IN THE AMOUNT OF THIRTY-ONE THOUSAND FIVE HUNDRED TWENTY DOLLARS AND FORTY-FOUR CENTS (\$31,520.44) TO BE PAID ANNUALLY (TEN THOUSAND FIVE HUNDRED SIX DOLLARS AND EIGHTY-ONE CENTS [\$10,506.81]) FROM OPERATIONS AND MAINTENANCE EXPENSE

WHEREAS, after approval of the Fiscal Year 2006 Operating and Capital Budgets, the current Automatic Call Distribution (ACD) Telephone System Solutions provider, AT&T, notified Groton Utilities' Management its current ACD Pinnacle Telephone System costing \$3,000 per month would not longer be supported effective October 2006, thereby reaching the end of its life and requiring replacement; and

WHEREAS, Management advertised a Request for Proposal (RFP) on September 21, 2006 resulting in the receipt of four proposals on October 10, 2006; and

WHEREAS, based on an evaluation of the proposals received, the RFP Committee narrowed the selection to two (2) vendors, performed a comparison of the proposals, and requested additional information from JKS Systems/WOOD to try to match the product closer together to ensure the comparison was accurate; and

WHEREAS, a functionality comparison of the quotes received was provided to the City of Groton Utility Commission at its December 20, 2006 meeting; and

WHEREAS, the RFP Committee met with two of the City of Groton Utility Commissioners on January 12, 2007 to address questions about system access and functionality and to review the access and trunking arrangements of the various systems; and

WHEREAS, the two Utility Commissioners were satisfied with the review and agreed with the original recommendation that the ACD system presented by JKS Systems/WOODS is the most cost effective and feature rich; and

WHEREAS, funding for the Automatic Call Distribution Telephone System Solutions at a cost of \$96,933.40 will be paid from Non-Bonded Capital and depreciated over a five (5) year period and the three-year Maintenance Agreement in the total amount of \$31,520.44 will be paid in three annual installments (\$10,506.81) from Operations and Maintenance Expense; and

WHEREAS, the City of Groton Utility Commission at its regular meeting held on January 24, 2007 authorized Groton Utilities Management to issue a purchase order to JKS Systems/Woods, Marlborough, Connecticut for an Automatic Call Distribution Telephone System Solutions, including a three-year Maintenance Agreement, at a total cost not to exceed \$128,453.84 with \$96,933.40 paid from Non-Bonded Capital and depreciated over a five (5) year period and the

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three-year Maintenance Agreement in the amount of \$31,520.44 to be paid annually (\$10,506.81) from Operations and Maintenance Expense;

THEREFORE, BE IT RESOLVED that the Mayor and Council authorize Groton Utilities' Management to issue a purchase order to JKS Systems/Woods, 18 Ruby Road, Marlborough, Connecticut for an Automatic Call Distribution Telephone System Solutions, including a three-year Maintenance Agreement, at a total cost not to exceed One Hundred Twenty-Eight Thousand Four Hundred Fifty-Three Dollars and Eighty-Four Cents (\$128,453.84) with Ninety-Six Thousand Nine Hundred Thirty-Three Dollars and Forty Cents (\$96,933.40) paid from Non-Bonded Capital and depreciated over a five-year period and the three-year Maintenance Agreement in the amount of Thirty-One Thousand Five Hundred Twenty Dollars and Forty-Four Cents (\$31,520.44) to be paid annually (Ten Thousand Five Hundred Six Dollars and Eighty-One Cents [\$10,506.81]) from Operations and Maintenance Expense.

Deputy Mayor Duarte moved **Councilor Hale** seconded a motion to approve **R-07-2-20**.

Mayor Popp said this was approved at the January 28th Utilities Commission meeting. He said AT&T will no longer support the recovery system and JKS Systems/Woods will give support and an enhanced system at a lesser price.

There was some discussion regarding backup and recovery in the event of a disaster.

Motion passed unanimously.

R-07-2-21 RESOLUTION THAT THE MAYOR AND COUNCIL ACCEPT A DONATION FROM THE WAL-MART FOUNDATION THROUGH THE LOCAL WAL-MART, 150 GOLD STAR HIGHWAY, GROTON, CONNECTICUT ON BEHALF OF THE CITY OF GROTON POLICE DEPARTMENT IN THE AMOUNT OF \$1000.00 (ONE THOUSAND DOLLARS AND NO CENTS) TO BENEFIT ACE CAMP

WHEREAS, each year, the City of Groton sponsors an ACE Camp, a program intended to teach young boys and girls the mechanisms of flying as well as the potential futures and opportunities available to them if they remain drug free; and

WHEREAS, the City of Groton Police Department personnel are involved in coordinating the camp and identifying local students who would benefit from the program; and

WHEREAS, the City of Groton Police Department absorbs the cost to send the students to ACE Camp; and

WHEREAS, the Wal-Mart Foundation, as a globally responsible citizen, strives to improve the quality of life for associates, customers and communities through financial contributions, in-kind donations and volunteerism; and

WHEREAS, the Wal-Mart Foundation has identified ACE Camp to substantially benefit the children of the community and has generously offered a \$1,000.00 donation to support ACE Camp;

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THEREFORE, BE IT RESOLVED that the Mayor and Council accept a donation from the Wal-Mart Foundation through the local Wal-Mart, 150 Gold Star Highway, Groton, Connecticut, on behalf of the City of Groton Police Department in the amount of \$1,000.00 (One Thousand Dollars and No Cents) to benefit ACE Camp.

Councilor Duffy moved **Deputy Mayor Duarte** seconded a motion to approve **R-07-2-21**. Mayor Popp and the Councilors thanked Wal-Mart for their generosity.
Motion passed unanimously.

X. POSSIBLE EXECUTIVE SESSION

None.

XI. COMMENTS FROM EXECUTIVE SESSION

None.

XII. ADJOURNMENT

Councilor Hale moved **Councilor Galbraith** seconded a motion to adjourn. **Motion passed unanimously.**

Mayor Popp adjourned the meeting at 8:00 p.m.

ATTEST:

APPROVED:

**Debra Patrick
City Clerk**