

**CITY OF GROTON  
MAYOR AND COUNCIL  
MINUTES  
MONDAY, MARCH 6, 2017**

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

**Mayor Galbraith called the meeting to order at 7:30 p.m.**

**I. ROLL CALL**

Present: Mayor Marian Galbraith, Deputy Mayor Keith Hedrick Councilors Andrew Ilvento, Jill Rusk, Stephen Sheffield, Conrad Heede, Finance Director Ron Yuhas and City Clerk Debra Patrick. Excused: Councilor Lawrence Gerrish.

**II. SALUTE TO THE FLAG**

Led by Mayor Galbraith.

Councilor Ilvento moved Deputy Mayor Hedrick seconded a motion to suspend the rules to move resolution R-17-3-32 up on the agenda to follow Salute to the Flag. Motion carried.

**R-17-3-32 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE APPOINTMENT OF CHESTER KANIECKI AS A CAPTAIN IN THE CITY OF GROTON FIRE DEPARTMENT EFFECTIVE MARCH 7, 2017**

**WHEREAS**, a vacancy for the position of Captain exists within the City of Groton Fire Department; and

**WHEREAS**, Firefighter Chester Kaniecki has passed the written and oral portion of the Captain testing and meets the qualifications for promotion to Captain; and

**WHEREAS**, Chester Kaniecki has been recommended by Fire Chief Nicholas DeLia and Mayor Galbraith to fill this position;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council approve the appointment of Chester Kaniecki as a Captain in the City of Groton Fire Department effective March 7, 2017.

Councilor Ilvento moved Councilor Rusk seconded a motion to approve R-17-3-32.

Chief DeLia said he is very proud of the work the department did last week under difficult circumstances. He praised the combined efforts of the Fire and Police Departments and their regional partners.

Chief DeLia said he is presenting Firefighter Chester Kaniecki for approval for promotion 17 years ago to the day that he was sworn in as a firefighter and said he would do his best. He gave an overview of the testing process used, Firefighter Kaniecki's experience, training and noted he came in first throughout the testing process. He said Firefighter Kaniecki's parents are here from New Jersey and he is proud to present him for promotion to Captain.

Motion carried.

City Clerk Patrick administered the oath to Captain Kaniecki. His daughter, Melissa, pinned his Captain's badge on him.

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Captain Kaniecki thanked everyone for being there tonight. He thanked his family, colleagues and friends for their support. He said he looks forward to being a progressive and traditional captain.

**III. RECOGNITION, AWARDS AND MEMORIALS**

Mayor Galbraith recognized the members of the City Police and Fire Departments, police divers Paul Ruddy and Dan Grimm who all did the very best they could last week.

Councilor Rusk said this past week has been particularly difficult for the military community. She said the Groton Youth & Family Services are available for counseling at 860-441-6780 and the Suicide Prevention line is open 24/7, 800-273-8255. She encouraged people to call for help.

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

None.

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

None.

**VI. APPROVAL OF MINUTES**

Councilor Ilvento moved Councilor Sheffield seconded a motion to approve the February 21, 2017 Mayor and Council meeting. Motion carried.

Councilor Ilvento moved Deputy Mayor Hedrick seconded a motion to approve the February 27, 2017 Committee of the Whole meeting. Motion carried.

**VII. COMMUNICATIONS AND REPORTS**

Councilor Ilvento attended the Town Council meeting on the Highway Department budget February 28<sup>th</sup>.

Councilor Rusk attended the Town Council meeting on the Highway Department budget February 28<sup>th</sup>, the Costa property meeting and the EDC meeting February 1<sup>st</sup>.

Councilor Sheffield attended the Town Council meeting on the Highway Department budget February 28<sup>th</sup>.

Councilor Heede attended the Town Council meeting on the Highway Department budget February 28<sup>th</sup> and the DARE graduation at Catherine Kolnaski School on February 7<sup>th</sup>.

Deputy Mayor Hedrick had no report.

Finance Director Yuhas had no report.

City Clerk Patrick said she had the privilege of reading to 3 classrooms of students at Charles Barnum School on Read Across America Day March 2<sup>nd</sup>.

Mayor Galbraith said she would like to discuss the definitions for the Ethics terminology. She said it was decided they would put it forward as an ordinance and she would like input on a fixed dollar amount on gifts.

Councilor Rusk said she agrees a fixed amount is needed and thought \$100.00 was reasonable.

Councilor Ilvento agreed with Councilor Rusk.

It was agreed to by the remaining Councilors as well.

Mayor Galbraith said the resolution they will see later in the agenda for the public hearing, if passed, would require a special meeting to be scheduled. She suggested a special meeting at 7:00 p.m. on March 27<sup>th</sup> to approve the 3 resolutions. She reported the opportunity for grants through the CT Port Authority, the Small Harbor Improvements Programs. She said it allows municipalities to apply for grants for docks and piers, the planning designing and engineering.

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She said the first phase would be to design a master plan for the lower property which would include a floating dock and a certificate of permission would be required through the DEEP. It would include an engineering plan for construction, development of bid specifications and oversight for construction. The second phase would be for construction and the 3<sup>rd</sup> phase would be to determine if they would continue with the master plan. She said they would like to continue the work with Coastline Consulting and asked for the Council's permission to get a scope of services to get the costs to continue with the grant process.

Councilor Ilvento said if there is no cost then we should look into the grants and the floating dock is a great idea.

Deputy Mayor Hedrick agreed if there were no funds required from us.

There was discussion on when the process must start for the grants and the criteria, where the dock would be located, to what extent the master plan would go and how far out the dock would be located.

There was discussion on the EDC and a plan to drive economic development with picnic tables, benches and the possibility of having food trucks for this summer on the lower Costa property. They agreed to talk to Coastline Consulting for a cost of services.

**VIII. COMMITTEE REFERRALS**

None.

**IX. NEW BUSINESS**

**R-17-3-33 RESOLUTION THAT THE MAYOR AND COUNCIL INITIALLY APPROVE AN AMENDMENT TO ORDINANCE 208 "AN ORDINANCE APPROPRIATING \$42,097,000 AND AUTHORIZING ITS EXPENDITURE BY THE DEPARTMENT OF UTILITIES FOR THE WATER TREATMENT FACILITY IMPROVEMENTS SHALL BE AMENDED BY INCREASING THE APPROPRIATION THEREIN TO \$54,000,000"**

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

Ordinance No. 208 entitled "An Ordinance Appropriating \$42,097,000 And Authorizing Its Expenditure By The Department Of Utilities For The Water Treatment Facility Improvements" adopted at a Special City Meeting (Freeman's Meeting) on March 16, 2015 (the "Ordinance"), is hereby amended as follows:

The Ordinance is hereby amended by replacing such section with the text set forth below:

Consistent with the recommendation of the Commissioners of the City of Groton Department of Utilities, the sum of \$54,000,000 is appropriated and authorized to be expended by the Department of Utilities for the costs of the water treatment facility improvements, including but not limited to, the planning, design, acquisition and construction of improvements and modifications to the low lift pumping station and rapid mix process, clarification upgrades, deep bed GAC filtration and manganese adsorption filters, new intermediate and high lift pumping, finished water storage tank, residuals management, chemical feed system upgrades, new yard piping, safety upgrades, automation, electrical upgrades including but not limited to generation facilities, and building envelope and building systems improvements including architectural, structural, mechanical/HVAC, and electrical, and for administrative, printing, legal, and financing costs related thereto;

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**THEREFORE, BE IT RESOLVED** that the Mayor and Council Initially approve an amendment to Ordinance 208 “An Ordinance appropriating \$42,097,000 and authorizing its expenditure by the Department of Utilities for the Water Treatment Facility Improvements shall be amended by increasing the appropriation therein to \$54,000,000”

Councilor Rusk moved Councilor Sheffield seconded a motion to approve R-17-3-33  
Mayor Galbraith said a presentation was done last month and distributed more detailed information on the debt service for the City and GU.

Finance Director Yuhas went over the bonds/bans allowed and the total debt as of today.

Councilor Heede discussed the difference between repayment with tax dollars versus rate payers.

Mayor Galbraith said there will be a public information session 7:00 p.m. March 13<sup>th</sup> at the municipal building and open house tours at the plant March 25<sup>th</sup> and April 1<sup>st</sup> from 9:00 a.m. - 11:00 a.m.

Councilor Rusk encouraged people to take a tour.

Mayor Galbraith said this has been in the works since 2008 and they have a letter from the state allowing them to borrow up to \$54 million.

Councilor Ilvento said people should take the tour to see the work they do there.

Rick Stevens, Manager, GU Water Department gave an overview of the timeline and cost changes.

Motion carried.

**R-17-3-34 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE APPROPRIATING \$42,097,000 FOR WATER TREATMENT FACILITY IMPROVEMENTS AND AUTHORIZING \$42,097,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE SHALL BE AMENDED BY INCREASING EACH OF THE APPROPRIATION AND BOND AUTHORIZATION THEREIN TO \$54,000,000**

**Section 1.** Section 1 of the resolution entitled “Resolution Appropriating \$42,097,000 For Water Treatment Facility Improvements And Authorizing \$42,097,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose” finally approved at a Special City Meeting (Freeman’s Meeting) on March 16, 2015 (the “Resolution”) is hereby amended by increasing the appropriation by the amount of \$11,903,000 from \$42,097,000 to \$54,000,000, thereby making said Section 1 read as follows:

“Section 1. The sum of \$54,000,000 is appropriated for the following water treatment facility improvements, including but not limited to, the planning, design, acquisition and construction of improvements and modifications to the low lift pumping station and rapid mix process, clarification upgrades, deep bed GAC filtration and manganese adsorption filters, new intermediate and high lift pumping, finished water storage tank, residuals management, chemical feed system upgrades, new yard piping, safety upgrades, automation, electrical upgrades including but not limited to generation facilities, and building envelope and building systems improvements including architectural, structural, mechanical/HVAC, and electrical, and for administrative, printing, legal, and financing costs related thereto (collectively, the “Project”).”

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**Section 2.** Section 2 of the Resolution is hereby amended by increasing the amount of the bond authorization therein by \$11,903,000 from \$42,097,000 to \$54,000,000, thereby making the first sentence of said section read as follows:

“Section 2. To meet said appropriation, \$54,000,000 bonds of the City or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the maximum maturity permitted by the General Statutes of Connecticut, Revision of 1958, as amended from time to time (the “Connecticut General Statutes”).”

**Section 3.** Section 5 of the Resolution shall be applicable to the appropriation and bond authorization added by this amending resolution, as of the date of the adoption of this amending resolution.

**Section 4.** This resolution shall take effect upon its approval at a duly warned and held Special City Meeting (Freeman's Meeting).

**Section 5.** All other provisions of the Resolution, except as amended herein, shall remain in full force and effect.

THEREFORE, BE IT RESOLVED that the Mayor and Council approve appropriating \$42,097,000 for Water Treatment Facility Improvements and authorizing \$42,097,000 bonds of the city to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose shall be amended by increasing each of the appropriation and bond authorization therein to \$54,000,000.

Deputy Mayor Hedrick moved Councilor Ilvento seconded a motion to approve R-17-3-34. Motion carried.

**R-17-3-35 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE SCHEDULING OF A SPECIAL CITY OF GROTON FREEMAN’S MEETING ON MONDAY, APRIL 3, 2017 AT 7:00 P.M. TO APPROPRIATE \$42,097,000 FOR WATER TREATMENT FACILITY IMPROVEMENTS AND AUTHORIZING \$42,097,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE SHALL BE AMENDED BY INCREASING EACH OF THE APPROPRIATION AND BOND AUTHORIZATION THEREIN TO \$54,000,000”**

**WHEREAS**, the Mayor and Council desire to schedule a Special Freeman’s meeting on Monday, March 16, 2015 at 7:00 p.m. in the City of Groton Municipal Building Council Chambers; and

**WHEREAS**, the purpose of this meeting is to give consideration and act upon the authorization of an appropriation of funds for the Water Treatment Facility Improvements;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council approve the scheduling of a Special City of Groton Freeman’s meeting on Monday, April 3, 2017 at 7:00 p.m. to appropriate \$42,097,000 For Water Treatment Facility Improvements And Authorizing \$42,097,000 Bonds Of The City To Meet Said Appropriation And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose Shall Be Amended By Increasing Each Of The Appropriation And Bond Authorization Therein To \$54,000,000.

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Councilor Sheffield moved Councilor Ilvento seconded a motion to approve R-17-3-35.  
Motion carried.

**R-17-3-36 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE  
RULES AND REGULATIONS AT EASTERN POINT BEACH PROPERTY  
FOR THE YEAR 2017**

**WHEREAS**, Eastern Point Beach Property 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 2017:

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

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

\*For purposes of this document, City resident shall mean; City residents or City taxpayers whose registration does not show a City of Groton address.

**A. Hours**

Park hours posted 5:30 am to 11:30 pm  
Gate hours 8:00 am – 8:00 pm, applicable fees apply  
Lifeguards on duty 8:00 am to 6:00 pm, daily.  
Beach Patrol on duty 6:00 pm to 8:00 pm, daily  
ALL RULES APPLY YEAR ROUND 24/7

**B. Vehicles:**

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

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

**C. Parking Permits:**

All fees are non-refundable

Seasonal Rates:

City Residents/City Taxpayers 62 years old and older*	\$11.00
City Resident/City Taxpayer	\$32.00
City Resident/City Taxpayer (additional Vehicle)	\$22.00
Non-resident 62 years old and older*	\$48.00
Non-resident	\$70.00
Special Pass City resident/City taxpayer 62 years and older**	\$11.00
Special Pass for resident/City taxpayer with a disability under 62 years of age***	\$32.00

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

\*\* 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

\*\*\* 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 and documentation of disability

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 adhered** to the driver's side of the vehicle on the inside of the windshield. The permit on the vehicle must match the registration number of the vehicle it was purchased for.

**D. Replacement of Pass:**

If your pass needs to be replaced due to purchase of a new vehicle, replacement of windshield or any other reason, you must bring in the old pass. Lost passes require the purchase of a new pass.

**E. Daily Rates:**

Weekday	\$16.00
Weekends/Holidays*	\$27.00
5:00pm – 8:00pm	½ price parking daily (except on Special Events)

\*The holidays are July 4<sup>th</sup> and Labor Day.

(Starting at 8:00p.m. daily there will be no charge for entrance to the beach, except during Special Events.)

**F. Bus Trips:**

Bus loads 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, but does not permit the bus to park on the property. There will be no charge and/or bus limit for City of Groton Recreation program buses.

**G. 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.

**H. Walk-ins:**

Children 17 years old and under – **FREE**

City of Groton Residents/City of Groton Residential Taxpayers with ID – **FREE**

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Residents that do not have a picture ID can show a current lease agreement or tax bill and can obtain a picture ID at the Parks and Recreation Office. City of Groton Residents/City of Groton Residential Taxpayers may walk-in with their guests at no cost.

Non-Resident/ Non Taxpayer Walk Ins - **\$5.00**

**Guest Pass:**

City of Groton Residents/City of Groton Residential Taxpayers can purchase a walk in guest pass for up to 4 people - **\$30.00. This is for WALK-IN purposes ONLY**

That would be left at the Gatehouse upon arrival at the beach and picked up on their way out. This does not include business or commercial property.

**I. Military Families**

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 only when the Parks and Recreation Office is notified in advance by the designated personnel on the Sub Base via email alert.

**J. 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.

**K. Parking**

All motorized vehicles (as defined in eligibility Rule B) require a season permit to gain entrance to the beach. The permit **must be adhered** to the driver's side of the vehicle on the inside of the windshield. Motorcycles must laminate pass and display to gate attendant each time they enter Beach property.

All vehicles must be parked in the designated parking spaces in the parking area. Do not park along yellow curbing or yellow striped area.

1. No vehicle parking or standing allowed in any part of the entrance driveway (strictly enforced).
2. Drop-offs and pick-ups must be done in the designated Loading Zone white curbing area (strictly enforced).
3. Parking permit does not guarantee a parking place. Parking will be limited to City of Groton residents and non-resident taxpayers when the parking lot reaches ~~85%~~ 90% of capacity.

**L. Rules and Regulations**

1. Dressing or undressing will only be permitted in the restroom areas.
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 is 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.



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5. Animals/Reptiles will not be permitted on beach property or in any vehicle entering beach property at any time. (Except for service dogs and the goose patrol dog).

**Per City Ordinance 199:** Section 1 (b): *Presence on beaches.* No pet leashed or unleashed shall be allowed on public owned beaches in the City. Any person who violates this Ordinance shall be subject to a \$50.00 fine for each violation.

6. No gambling on beach property.
7. No running is permitted on sandy beach area.
8. No climbing walls.
9. Ball playing is confined to the Zbierski House lawn, the playground and the basketball court.
10. Kite flying is confined to the lawn behind the Zbierski House.
11. No glassware is allowed on sandy areas.
12. Scuba diving is only permitted on the Thames River side of beach property. Wind surfing, canoes, sunfish, jet skis and similar watercraft are restricted to the beach area in front of Zbierski House.
13. No tents or screens allowed on the sandy beach area or Tyler House lawn. Small child cabanas are permitted, but must not restrict the lifeguards view or path to the water.
14. No swimming/wading off the rocks, breakwater or parking lot area. Where posted, patrons are to keep off the rocks
15. No alcoholic beverages will be allowed anywhere on the Eastern Point Beach property unless a Special Permit for the Sale or Consumption for Alcohol at the Zbierski House has been granted by the Director of Parks and Recreation.
16. No patrons should set up blankets or towels in front of the lifeguard stand so to block lifeguard's direct route to the water.
17. **Per City Ordinance 199:** Prohibiting smoking at the locations identified in ordinance.

Park or recreation area shall mean any outdoor area owned or operated by the City of Groton and open to the general public for primary recreational purposes, regardless of any fee or age requirement including but not limited to beaches, picnic areas, playgrounds, sports or athletic fields, bleachers, walking paths, gardens, hiking trails, bike paths and dog parks. A park or recreational area shall not include any paved public sidewalk immediately abutting the boundary of the park or recreational area or any other designated (posted) area. Any person who violates any provision of this Ordinance shall be subject to a fine of \$120.00 per violation.

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17. All garbage is to be carefully put into the containers provided. No littering allowed.
18. No overnight camping or open fires on the beach.
19. Only Coast Guard Approved Type III Personal Flotation devices are allowed, all other flotation devices are not allowed. For example inflatable toys, air mattresses, boats or inner tubes and etc. are not allowed. Special devices are allowed for children with special needs.
20. No skateboards, roller-skates, roller blades, razor scooters are to be used on beach property.
21. No unregistered motorized vehicles allowed on the property.
22. No Drones allowed on the property.
23. Remote control devices with cameras attached to them are not allowed on the property.
24. No bicycle riding on beach property. Bikes must be stowed in bike racks.
25. Proper beach attire is required: No thongs or “G” strings allowed. Nudity is prohibited.
26. Radios, boom boxes, etc., should maintain a volume as not to disturb others.
27. During the beach season, abuse and violation of any rules, regulations, or ordinances listed herein may lead to loss of parking permit and/or beach privileges (subject to review by the Recreation Director)

**M. 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.
5. All the picnic tables and grills are available to all guests at the beach on a first come first served basis. Individuals that rent the Zbierski House may not ask patrons to vacate the area around the House.

**N. Special Events**

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In the event that there is a Special Event held in the area which will have an impact on the parking at Eastern Point Beach, the following criteria will be in place at the discretion of the Beach and Parks Committee.

1. There will be no rental of the Zbierski House on the dates of the Special Event and any scheduled rain dates
2. Beach Hours of Operation could be extended to 6:00 am to 10:00 pm. There will be staff at the facility during these hours.
3. Parking Fee will be \$32.00 for those without a Season Beach Pass, no matter what day of the week the Special Event falls on.
4. All the approved Rules and Regulations of Eastern Point Beach will be in full effect.

**O. 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.

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 feeding 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.

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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 2017.

Councilor Heede moved Councilor Ilvento seconded a motion to approve R-17-3-36.  
Motion carried.

**R-17-3-37 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE 2017 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**

\*For purposes of this document, City resident shall mean; City residents or City taxpayers whose registration does not show a City of Groton address.

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.

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**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. 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.

**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

Trailers, mobile homes, etc. are prohibited.

**Parking Permits**

Seasonal Rates

All fees are non-refundable

City resident/City taxpayer 62 years old and older*	\$11.00
City resident/City taxpayer	\$32.00
City Resident (additional vehicle)	\$22.00
Non-resident 62 years old and older*	\$48.00
Non-resident	\$70.00
Special Pass:	
City resident/City taxpayer 62 years old and older**	\$11.00
Special Pass for resident/City taxpayer with a disability under 62 years of age***	\$32.00

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

\*\* (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.)

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\*\*\* 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 and documentation of disability

## Daily Rates

Weekday	\$16.00
Weekend/Holidays*	\$27.00
5:00pm – 8:00pm	½ price parking daily (except on Special Events)

(\*The holidays are July 4<sup>th</sup> and Labor Day)

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: tax bill or current lease agreement). The permit **must be adhered** to the driver's side of the vehicle on the inside of the windshield. The permit on the vehicle must match the registration number of the vehicle it was purchased for.

Starting at 8:00 p.m. daily there will be no charge for entrance to the beach, except during Special Events.

## Bus Trips:

Bus loads are limited to no more than three (3) per day. Reservations are required in advance by contacting the Parks & Recreation office at 446-4128. The charge for buses will be \$100.00 per bus per day, but does not permit the bus to park on the property. There will be no charge and/or limit for City of Groton Recreation program buses.

## 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 at the Parks and Recreation office Monday through Friday from 8:00 am to 4:30 pm to request the temporary parking pass.

## Walk-ins

Children 17 years old and under – **FREE**

City of Groton Residents/City of Groton Residential Taxpayers with ID – **FREE**

Residents that do not have a picture ID can show a current lease agreement or tax bill and can obtain a picture ID at the Parks and Recreation Office. City of Groton Residents/City of Groton Residential Taxpayers may walk-in with their guests at no cost.

Non-Resident/ Non Taxpayer Walk Ins - **\$5.00**

## Guest Pass:

City of Groton Residents/City of Groton Residential Taxpayers can purchase a walk in guest pass for up to 4 people - **\$30.00. This is for WALK-IN purposes ONLY**

That would be left at the Gatehouse upon arrival at the beach and picked up on their way out.

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This does not include business or commercial property.

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 only when the Parks and Recreation Office has been notified by the designated personnel on the Sub Base via email alert.

**Special Events**

In the event that there is a Special Event held in the area which will have an impact on the parking at Eastern Point Beach, the following criteria will be in place at the discretion of the Beach and Parks Committee.

1. There will be no rental of the Zbierski House on the dates of the Special Event and any scheduled rain dates
2. Beach Hours of Operation could be extended to 6:00 am to 10:00 pm. There will be staff at the facility during these hours.
3. Parking Fee will be \$32.00 for those without a Season Beach Pass, no matter what day of the week the Special Event falls on.
4. All the approved Rules and Regulations of Eastern Point Beach will be in full effect.

**4. RECREATION PROGRAMS**

**Adult Programs.** The fees are calculated to break even. Fees pay for 100% of the program.

**Youth Programs.** The fees are calculated on an individual program basis taking into consideration special instructors and/or special equipment and supplies to recover 50% to 75% of the costs in fees.

**Summer Playground.** The City of Groton operates a large summer playground program at Washington Park and at West Side Middle School. The rates charged are as follows:

	City Resident Fee	Non-City Resident Fee
Full Day 6-11 year olds	\$200.00	\$250.00
Full Day 12-14 year olds	\$200.00	\$250.00
Half Day 4-5 year olds	\$100.00	\$120.00

- a. **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 rates are as follows:

Large Pavilions #1,3 & 5  
Per Rental

Regular Pavilion #2, 4 & 6  
Per Rental

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	(up to a 4 hour timeframe)	(up to a 4 hour timeframe)
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.

**Tennis Courts (lighted).** The Parks and Recreation Department supervises six lighted courts at Washington Park. All league play will be charged \$20.00 per court per four (4) hour session. The participants shall be expected to pay for the cost of any extended services.

**Ball Fields Fee Structure:**

Group 1	<u>All youth groups regular season games.</u> Little League and Babe Ruth	No fee
Group 2	<u>All other Youth Baseball Programs</u>	\$20.00 per game weekdays \$30.00 per game weekends
Group 3	<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 4	<u>University of Connecticut, Avery Point.</u>	No fee
Group 5	<u>Adult Leagues.</u>	\$20.00 per game weekdays \$30.00 per game weekends
Group 6	<u>Adult Tournaments.</u>	\$100.00 per day
Group 7	<u>Charity Tournaments.</u> Examples: Fundraisers for charities like Jimmy Fund and United Way. * To be determined on a case by case basis by the Director of Parks and Recreation	Fee*
Group 8	<u>Baseball Camps.</u> Examples: America's Game 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



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discretion in making reservations that promote the widest public use of the facility. This policy may affect Friday through Sunday use especially.

A **one-hundred dollar (\$100.00)** cash security deposit will be held at the Parks & Recreation office for each Zbierski House reservation until verification of clean up.

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. During the summer season, rentals on Saturday, Sunday and Holidays will be limited to one (1) party during hours of operation (8am-6pm) and for one (1) party after 6:00 pm.

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

**Special Permit for the Sale and/or Consumption of Alcohol within the Zbierski House  
1 Beach Pond Rd, Groton CT 06340**

This permit allows for the sale and/or consumption of alcohol (beer and wine ONLY) within the Zbierski House or on its porches. Alcohol is not allowed to be taken onto other areas of the Eastern Point Beach property. Alcohol is not permitted at any time during the open hours of the beach during the beach season. Alcohol will only be permitted after 6:00pm on Friday, Saturday and Sundays during the Beach Season No alcohol is to be served, consumed, or sold without a special permit. No kegs, beer balls, or other containers of alcohol in excess of 1 liter are allowed at any time, must be plastic or can, no glass containers.

In order to be granted a Special Permit for the Sale and/ or Consumption of Alcohol the following conditions must be met:

1. Application must be made, in writing, six weeks prior to the event
2. The applicant must have a Zbierski House Use Permit.
3. The applicant must have a liquor license or liquor permit as required by law.
4. The applicant must have insurance covering the City as additionally insured.
5. The applicant must have a plan for controlling the behavior of guests.

Date of Application \_\_\_\_\_  
 Name of Event \_\_\_\_\_ Date of Event \_\_\_\_\_  
 Sponsoring Individual or Organization \_\_\_\_\_  
 Hours of event \_\_\_\_\_

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**Zbierski House Permit**

The applicant has a Zbierski House Use Permit    Y    N

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**Type of Event:**

\_\_\_\_\_ Private. Private events where no money is requested from attendees do not require a liquor license. Private events constitute such things as birthday parties, bridal showers, family reunions, graduation ceremonies, memorial services, weddings etc.

                  \$50.00 for Resident                    \$100.00 for Non-Resident

\_\_\_\_\_ Public. Public events where money is requested or charged which also include the sale or consumption of alcohol require a liquor permit. Public events include fundraisers, antique sales, art shows, etc.

                  \$100.00 for Resident                    \$200.00 for Non-Resident

**Liquor Permit**

The appropriate liquor permit has been provided and is attached.    Y    N    N/A

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**Insurance:** The applicant or caterer must have insurance coverage including the City as additionally insured.

Liquor Liability (if alcohol is served or sold)

\$1,000,000 Per Occurrence

\$2,000,000 General Aggregate

City of Groton, CT added as additional insured

General Insurance Requirements:

- All coverage must be placed with carriers approved to conduct business in the State of Connecticut and rated at least A-/VII by A.M. Best
- Certificates of insurance verifying compliance with the City of Groton’s requirements must be included with this permit form. Failure to meet the City’s insurance requirements shall prevent use of issuance of a Special Permit for the Sale or Consumption of Alcohol.
- Should any insurance cancel for any reason or cause, at least 30 days written notice shall be given to the City of Groton
- The City of Groton maintains the right to require insurance coverage greater than what is listed above, depending on the nature and scope of usage of the Zbierski House.
- Any exceptions to the City’s insurance requirements are subject to the sole discretion of the City.

A copy of the applicant or caterer’s liability insurance has been provided and is attached.    Y    N

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**Guest Control:** The applicant is responsible for the behavior of his or her guests. The City will require that a City employee be present at all times to assure that the plan for guest control is followed. The applicant is responsible for paying the cost of such an employee.

An acceptable plan for assuring all guests follow the rules of the beach has been provided and is attached.    Y    N

A city employee is required.    Y            N                    Estimated Cost to Be Paid Prior to Event

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I, \_\_\_\_\_, have read and agree to the terms and conditions of this Special Permit for the Sale and/or Consumption of Alcohol. I understand that failure to comply with these terms and conditions will result in the forfeiture of any deposit made for use of the Zbierski House as well as any future ability to use any City facilities.

Grantee: (Print Name) \_\_\_\_\_

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Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Grantor: (Print Name) \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**THEREFORE, BE IT RESOLVED** that the Mayor and Council approve the 2017 City of Groton Recreation Department User Fees.

Councilor Ilvento moved Councilor Rusk seconded a motion to approve R-17-3-37.  
Motion carried.

**R-17-3-38 RESOLUTION THAT THE MAYOR AND COUNCIL SET A DATE FOR AND TO GIVE NOTICE OF A PUBLIC HEARING TO BE HELD TO RECEIVE PUBLIC COMMENT ON RESOLUTIONS TO ADOPT THE CONNECTICUT CITY AND TOWN DEVELOPMENT ACT AS TO THE BRANFORD MANOR LOW-INCOME SUBSIDIZED RENTAL HOUSING PROJECT ON SHENNECOSSETT ROAD, AND TO DESIGNATE THE BRANFORD MANOR PROPERTY A “DEVELOPMENT PROPERTY” AND TO AUTHORIZE THE MAYOR TO NEGOTIATE AND EXECUTE A REAL PROPERTY TAX INCENTIVE AGREEMENT WITH THE CONTRACT PURCHASER OF THE BRANFORD MANOR PROJECT**

**WHEREAS**, the City of Groton (“City”) is considering a resolution by which to adopt the Connecticut City and Town Development Act (“Act”) for the purposes of the redevelopment, rehabilitation, continued operation and management of the Branford Manor low-income subsidized rental housing complex on Shennecossett Road (“Branford Manor”), and

**WHEREAS**, the City is also considering two additional resolutions to exercise powers under the Act, one to designate the Branford Manor property a “Development Property” and the other to authorize the Mayor to negotiate and execute a real property tax incentive agreement with the contract purchaser of Branford Manor; and

**WHEREAS**, the Act requires that all powers it grants a municipality be exercised by way of separate municipal resolutions, following notice and a public hearing on each; and

**WHEREAS**, the Act requires a municipality to publish notice of the public hearing together with a summary of the proposed resolution in a newspaper with a general circulation in the municipality, no less than five nor more than fourteen days before the hearing; and

**WHEREAS**, the Act requires a municipality to file a notice of each proposed resolution in its City Clerk’s office for public inspection no less than five nor more than fourteen days before said public hearing.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GROTON, CONNECTICUT** (the “Council”), that the Mayor is directed to file a notice of the three Resolutions the titles of which are stated below (“Resolutions”) in the City Clerk’s office and to publish a summary of said Resolutions in the New London Day, each by no later than March 8, 2017; and be it further

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**RESOLVED**, that the Council hereby schedules a Joint public hearing with the Town of Groton on March 21, 2017 at 6:00 p.m. at Town Hall Annex, 134 Groton Long Point Road, Groton, CT, on the adoption of the Resolutions as summarized below:

**RESOLUTION OF THE COUNCIL OF THE CITY OF GROTON, CONNECTICUT ADOPTING THE CONNECTICUT CITY AND TOWN DEVELOPMENT ACT FOR THE PURPOSES OF THE REHABILITATION, REPAIR, IMPROVEMENT AND OPERATION OF THE BRANFORD MANOR INCOME-LIMITED SUBSIDIZED RENTAL HOUSING DEVELOPMENT AT 400 SHENNECOSSETT ROAD, GROTON, CONNECTICUT**

**RESOLUTION OF THE COUNCIL OF THE CITY OF GROTON, CONNECTICUT TO DECLARE THE PROPERTY AT 400 SHENNECOSSETT ROAD, GROTON, CONNECTICUT A DEVELOPMENT PROPERTY UNDER THE CONNECTICUT CITY AND TOWN DEVELOPMENT ACT**

**RESOLUTION OF THE COUNCIL OF THE CITY OF GROTON, CONNECTICUT TO AUTHORIZE A REAL PROPERTY TAX INCENTIVE AGREEMENT UNDER THE CONNECTICUT CITY AND TOWN DEVELOPMENT ACT FOR THE IMPROVEMENT AND OPERATION OF A LOW-INCOME SUBSIDIZED RENTAL HOUSING COMPLEX AT 400 SHENNECOSSETT ROAD, GROTON, CONNECTICUT**

Councilor Rusk moved Councilor Ilvento seconded a motion to approve R-17-3-38.

Mayor Galbraith announced the public hearing would take place at the Town Hall Annex with special presentations being done for residents of Branford Manor at St John's Church by the management company.

Councilor Ilvento said he thought it was inconsiderate to the residents to hold the public hearing all the way across town. He felt it could have been done at WSMS.

Mayor Galbraith said it would have been more considerate for the residents but the Town of Groton objected.

Motion carried.

**R-17-3-39 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE REAPPOINTMENT OF ALFRED RESTIVO, 763 SHENNECOSSETT ROAD, GROTON, CONNECTICUT AS A REGULAR MEMBER, BEACH AND PARKS COMMITTEE, TERM TO EXPIRE ON DECEMBER 31, 2019**

**WHEREAS**, the term of Alfred Restivo, 763 Shennecossett Road, Groton, expired on December 31, 2016; and

**WHEREAS**, Alfred Restivo, 763 Shennecossett Road, Groton, desires to continue to serve as a regular member of the Beach and Parks Committee and has been recommended for reappointment;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council approve the reappointment of Alfred Restivo, 763 Shennecossett Road, Groton, as a regular member, Beach and Parks Committee, term to expire on December 31, 2019.

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Deputy Mayor Hedrick moved Councilor Rusk seconded a motion to approve R-17-3-39.  
Mayor Galbraith thanked Mr. Restivo for continuing to serve. Motion carried.

**R-17-3-40 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE REAPPOINTMENT OF SCOTT NADEAU, 129 BLUEBERRY HILL ROAD, GROTON, CONNECTICUT AS A REGULAR MEMBER, BEACH AND PARKS COMMITTEE, TERM TO EXPIRE ON DECEMBER 31, 2019**

**WHEREAS**, the term of Scott Nadeau, 129 Blueberry Hill Road, Groton, expired on December 31, 2016; and

**WHEREAS**, Scott Nadeau, 129 Blueberry Hill Road, Groton, desires to continue to serve as a regular member of the Beach and Parks Committee and has been recommended for reappointment;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council approve the reappointment of Scott Nadeau, 129 Blueberry Hill Road, Groton, as a regular member, Beach and Parks Committee, term to expire on December 31, 2019.

Councilor Sheffield moved Councilor Rusk seconded a motion to approve R-17-3-40.  
Mayor Galbraith thanked Mr. Nadeau for continuing to serve. Motion carried.

**R-17-3-41 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE REAPPOINTMENT OF MARCIA GIPSTEIN, 6 SHORE AVENUE, GROTON, CONNECTICUT, AS A REGULAR MEMBER, EASTERN POINT HISTORIC DISTRICT COMMISSION, TERM TO EXPIRE ON FEBRUARY 1, 2022**

**WHEREAS**, Ordinance #75, Section 3(e) states, “Appointments shall be made by the Mayor with the approval of the City Council”; and

**WHEREAS**, Marcia Gipstein, 6 Shore Avenue, Groton, Connecticut term expired on February 1, 2017; and

**WHEREAS**, Marcia Gipstein, 6 Shore Avenue, Groton, Connecticut has been recommended for reappointment and desires to continue to serve;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council approve the reappointment of Marcia Gipstein, 6 Shore Avenue, Groton, Connecticut as a regular member, Eastern Point Historic District Commission, term to expire on February 1, 20122.

Councilor Heede moved Councilor Sheffield seconded a motion to approve R-17-3-41.  
Mayor Galbraith thanked Ms. Gipstein for continuing to serve. Motion carried.

**R-17-3-42 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE REAPPOINTMENT OF LAWRENCE TAYLOR, 164 SHORE AVENUE, GROTON, CONNECTICUT, AS AN ALTERNATE MEMBER, EASTERN POINT HISTORIC DISTRICT COMMISSION, TERM TO EXPIRE ON FEBRUARY 1, 2022**

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**WHEREAS**, Ordinance #75, Section 3(e) states, “Appointments shall be made by the Mayor with the approval of the City Council”; and

**WHEREAS**, Lawrence Taylor, 164 Shore Avenue, Groton, Connecticut term expired on February 1, 2017; and

**WHEREAS**, Lawrence Taylor, 164 Shore Avenue, Groton, Connecticut has been recommended for reappointment and desires to continue to serve;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council approve the reappointment of Lawrence Taylor, 164 Shore Avenue, Groton, Connecticut as an alternate member, Eastern Point Historic District Commission, term to expire on February 1, 2022.

Councilor Ilvento moved Councilor Rusk seconded a motion to approve R-17-3-42. Mayor Galbraith thanked Mr. Taylor for continuing to serve. Motion carried.

**R-17-3-43 RESOLUTION THAT THE MAYOR AND COUNCIL APPROVE THE APPOINTMENT OF PAUL KUNKEMOELLER, 218 SHORE AVENUE, GROTON, CONNECTICUT, AS A REGULAR MEMBER, PLANNING AND ZONING COMMISSION, TERM TO EXPIRE ON JUNE 30, 2017**

**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 a regular member to the Planning and Zoning Commission; and

**WHEREAS**, Paul Kunkemoeller, 218 Shore Avenue, Groton, Connecticut, desires to continue to serve on the Planning and Zoning Commission and has been recommended for appointment as a regular member;

**THEREFORE, BE IT RESOLVED**, that the Mayor and Council approve the appointment of Paul Kunkemoeller, 218 Shore Avenue, Groton, Connecticut, as a regular member, Planning and Zoning Commission, term to expire on June 30, 2017.

Councilor Rusk moved Councilor Heede seconded a motion to approve R-17-3-43. Mayor Galbraith said Mr. Kunkemoeller is moving from an alternate to a regular member. Motion carried.

**R-17-3-44 RESOLUTION THAT THE MAYOR AND COUNCIL AUTHORIZE AND APPROVE A DONATION OF \$1000.00 (THOUSAND DOLLARS AND NO CENTS) TO CHILDREN FIRST GROTON, C/O LEARN, 44 HATCHETT HILL ROAD, OLD LYME, CONNECTICUT**

**WHEREAS**, the City of Groton received a request for donation from Children First Groton to support initiatives to sustain programs that enrich the lives of families all across Groton; and

**WHEREAS**, resolution R-14-4-48 authorized the City Council to make donations to support the social, cultural and educational interests of the City of Groton; and

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**THEREFORE, BE IT RESOLVED** that the Mayor and Council authorize and approve a donation of \$1000.00 (One Thousand Dollars and No Cents) to Children First Groton, C/O LEARN, 44 Hatchet Hill Road, Old Lyme, Connecticut.

Deputy Mayor Hedrick moved Councilor Heede seconded a motion to approve R-17-3-44. Mayor Galbraith said this was discussed at the COW last week. Motion carried.

**R-17-3-45 RESOLUTION TO INITIALLY APPROVE “AN ORDINANCE AUTHORIZING THE MAYOR AND COUNCIL TO APPROVE INCREASES TO RETIREES PENSIONS UP TO AND INCLUDING THOSE WHO RETIRED IN 2013 AS RECOMMENDED BY THE CITY OF GROTON RETIREMENT BOARD”**

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

**WHEREAS**, the Mayor and Council, upon recommendation of the Retirement Board, may increase the benefits of retired employees; and

**WHEREAS**, the Mayor and Council have received a qualified cost estimate from an actuary; and

**WHEREAS**, the City of Groton Retirement Board recommended increasing the benefits of retired employees who retired in 2013 at their meeting held on February 23, 2017; and

That is: The COLA increase shall be calculated by multiplying the annualized increase in the Consumer Price Index issued by the United States Department of Labor, Bureau of Labor for the last available twelve (12) months by a factor of twenty-five percent (25%); however, in no event shall the adjustments exceed one and one-half (1.5%) per year. This adjustment is intended to provide persons retired before 1990 and those who retired up until December 2013 with the same COLA.

Effective Date This Ordinance shall become effective on or about July 1, 2017.

**THEREFORE, BE IT RESOLVED** that the Mayor and Council initially approve “An Ordinance Authorizing the Mayor and Council to Approve Increases to Retirees Pensions up to and including those who Retired in 2013 as Recommended by the City of Groton Retirement Board”.

Councilor Sheffield moved Councilor Ilvento seconded a motion to approve R-17-3-45.

Councilor Ilvento asked if the figures given to the Council showing the increases for each retiree could be made available to the public. He said there have been questions in the past regarding the increases and showing the amount each person receives would be helpful.

City Clerk Patrick said she would make copies available to the public upon request free of charge. Finance Director Yuhás said the change in the COLA increase date was made due to timing of Retirement Board meetings. Motion carried.

**R-17-3-46 RESOLUTION THAT THE MAYOR AND COUNCIL AUTHORIZE GROTON UTILITIES’ MANAGEMENT TO PROCEED WITH THE STATE OF CONNECTICUT CRYSTAL LAKE ROAD RECONSTRUCTION PROJECT, STATE PROJECT NO. 58-327, IN THE ESTIMATED COST OF**

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**THREE HUNDRED EIGHTY-SEVEN THOUSAND, NINE HUNDRED  
NINETY-ONE DOLLARS AND NINETY-FOUR CENTS (\$387,991.94) THAT  
WILL BE 100% REIMBURSABLE BY THE STATE OF CONNECTICUT**

**WHEREAS**, the State of Connecticut is planning on widening Crystal Lake Road and installing a 10 foot wide sidewalk along the west side of Route 12, between Lafayette Drive and Crystal Lake Road; and

**WHEREAS**, the estimated cost for GU's portion of the project is \$387,991.94, which will be 100% reimbursable by the State of Connecticut; and

**WHEREAS**, at its regular meeting held on February 22, 2017, the City of Groton Utilities Commission authorized Groton Utilities' Management to proceed with the State of Connecticut Crystal Lake Road Reconstruction Project, State Project No. 58-327, in the estimated cost of Three Hundred Eighty-Seven Thousand, Nine Hundred Ninety-One Dollars and Ninety-Four Cents (\$387,991.94) that will be 100% reimbursable by the State of Connecticut, and furthermore that the City Council be apprised of this action with the recommendation that it concur;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council authorize Groton Utilities' Management to proceed with the State of Connecticut Crystal Lake Road Reconstruction Project, State Project No. 58-327, in the estimated cost of Three Hundred Eighty-Seven Thousand, Nine Hundred Ninety-One Dollars and Ninety-Four Cents (\$387,991.94) that will be 100% reimbursable by the State of Connecticut.

Councilor Heede moved Councilor Sheffield seconded a motion to approve R-17-3-46. Mayor Galbraith said this was discussed at the COW last week. She said Utilities Director Gaudet was here if there were additional questions for him. Motion carried.

**R-17-3-47 RESOLUTION THAT THE MAYOR AND COUNCIL AUTHORIZE  
GROTON UTILITIES' MANAGEMENT TO PROCEED WITH GROTON  
LONG POINT RECLOSER PROJECT IN AN ESTIMATED COST NOT TO  
EXCEED THIRTY-EIGHT THOUSAND DOLLARS AND NO CENTS  
(\$38,000.00) TO BE PAID WITH FUNDS AVAILABLE IN THE APPROVED  
FISCAL YEAR 2016-2017 NON-BONDED CAPITAL PROJECTS**

**WHEREAS**, Groton Utilities' management is requesting that the existing Groton Long Point recloser and the external batteries be replaced as soon as possible, due to the rapid deterioration of the batteries bank; and

**WHEREAS**, the project would include replacing the existing substation recloser, properly disposing of the station batteries and installing a new substation recloser equipped with internal batteries; and

**WHEREAS**, at its regular meeting held on February 22, 2017, the City of Groton Utilities Commission authorized Groton Utilities' Management to proceed with the Groton Long Point Recloser Project in an estimated cost not to exceed Thirty-Eight Thousand Dollars and No Cents (\$38,000.00) to be paid with funds available in the approved fiscal year 2016-2017 Non-bonded Capital Projects, and furthermore that the City Council be apprised of this action with the recommendation that it concur;



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**THEREFORE, BE IT RESOLVED** that the Mayor and Council authorize Groton Utilities' Management to proceed with the Groton Long Point Recloser Project in an estimated cost not to exceed Thirty-Eight Thousand Dollars and No Cents (\$38,000.00) to be paid with funds available in the approved fiscal year 2016-2017 Non-bonded Capital Projects.

Councilor Ilvento moved Councilor Rusk seconded a motion to approve R-17-3-47. Mayor Galbraith said this was discussed at the COW last week. Motion carried.

**R-17-3-48 RESOLUTION THAT THE MAYOR AND COUNCIL AUTHORIZE GROTON UTILITIES' MANAGEMENT TO ISSUE A PURCHASE ORDER FOR OVERHEAD SWITCHGEAR/RECLOSER FOR THE GROTON LONG POINT RECLOSER PROJECT TO UTILITY POWER SUPPLY COMPANY, INCORPORATED, 5 EASTVIEW DRIVE, FARMINGTON, CONNECTICUT IN AN AMOUNT NOT TO EXCEED EIGHTEEN THOUSAND SIXTY-SIX DOLLARS AND NO CENTS (\$18,066.00) TO BE PAID FROM FUNDS AVAILABLE IN THE APPROVED FISCAL YEAR 2016-2017 NON-BONDED CAPITAL PROJECTS BUDGET**

**WHEREAS**, Groton Utilities' management solicited quotes for overhead switchgear / reclosures for the Groton Long Point Recloser project; and

**WHEREAS**, based on an evaluation of the bids, Management recommended issuing a purchase order to UPSC in the quoted amount of \$18,066.00; and

**WHEREAS**, at its regular meeting held on February 22, 2017, the City of Groton Utilities Commission authorized Groton Utilities' Management to issue a purchase order for overhead switchgear/recloser for the Groton Long Point Recloser Project to Utility Power Supply Company, Incorporated, 5 Eastview Drive, Farmington, Connecticut in an amount not to exceed Eighteen Thousand Sixty-Six Dollars and No Cents (\$18,066.00) to be paid from funds available in the approved fiscal year 2016-2017 Non-Bonded Capital Projects budget, and furthermore that the City Council be apprised of this action with the recommendation that it concur;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council authorize Groton Utilities' Management issue a purchase order for overhead switchgear/recloser for the Groton Long Point Recloser Project to Utility Power Supply Company, Incorporated, 5 Eastview Drive, Farmington, Connecticut in an amount not to exceed Eighteen Thousand Sixty-Six Dollars and No Cents (\$18,066.00) to be paid from funds available in the approved fiscal year 2016-2017 Non-Bonded Capital Projects budget.

Councilor Rusk moved Councilor Sheffield seconded a motion to approve R-17-3-48. Mayor Galbraith said this was discussed at the COW last week. Motion carried.

**R-17-3-49 RESOLUTION THAT THE MAYOR AND COUNCIL AUTHORIZE GROTON UTILITIES' MANAGEMENT TO EXECUTE A SERVICE LEVEL AGREEMENT BETWEEN THE GROTON UTILITIES' INFORMATION TECHNOLOGY DEPARTMENT AND GROTON LONG POINT POLICE DEPARTMENT FOR IT MANAGED SERVICES TO BE PROVIDED BY GROTON UTILITIES IT DEPARTMENT AND THE**

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**ASSOCIATED FEE SCHEDULE (ADDENDUM A) AND PHASE ONE  
PROJECT SCOPE (ADDENDUM B)**

**WHEREAS**, Groton Utilities' General Manager Blanchette has been working with the Groton Long Point Police (GLPPD) Chief Jeff Nixon to develop an agreement between the parties that leverages the resources and expertise of the Groton Utilities' IT Department in support of the GLPPD technology needs; and

**WHEREAS**, a preliminary Phase One scope of work and proposed fee schedule were drafted and a final draft was approved by the Groton Long Point Police Department; and

**WHEREAS**, at its regular meeting held on February 22, 2017, the City of Groton Utilities Commission authorized Groton Utilities' Management to execute a Service Level Agreement between the Groton Utilities' Information Technology Department and Groton Long Point Police Department for IT Managed Services to be provided by Groton Utilities IT Department and the associated Fee Schedule (Addendum A) and Phase One project scope (Addendum B) and that the City Council be apprised of this action with the recommendation that it concur;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council authorize Groton Utilities' Management to execute a Service Level Agreement between the Groton Utilities' Information Technology Department and Groton Long Point Police Department for IT Managed Services to be provided by Groton Utilities IT Department and the associated Fee Schedule (Addendum A) and Phase One project scope (Addendum B).

Deputy Mayor Hedrick moved Councilor Sheffield seconded a motion to approve R-17-3-49. Mayor Galbraith said this was discussed at the COW last week. Motion carried.

**R-17-3-50 RESOLUTION THAT THE MAYOR AND COUNCIL AUTHORIZE GROTON UTILITIES' TO SPONSOR THE THAMES RIVER HERITAGE PARK & WATER TAXI AT ITS' CONSERVATOR LEVEL SPONSORSHIP IN THE AMOUNT OF TEN THOUSAND DOLLARS AND NO CENTS (\$10,000.00), WITH FIVE THOUSAND DOLLARS AND NO CENTS (\$5,000.00) TO BE PAID FROM THE APPROVED FISCAL YEAR 2016-2017 ELECTRIC AND WATER DIVISIONS' ECONOMIC DEVELOPMENT SPONSORSHIP BUDGET AND FIVE THOUSAND DOLLARS AND NO CENTS (\$5,000.00) TO BE PAID FROM APPROVED FISCAL YEAR 2016-2017 ELECTRIC DIVISIONS' DISCRETIONARY FUND BUDGET**

**WHEREAS**, Mayor Galbraith requested funding a sponsorship of the Thames River Heritage Park & River Taxi, at the Conservator level of \$10,000; and

**WHEREAS**, the approved Economic Development Sponsorship budget has a current balance of \$30,000, with \$11,000 encumbered for committed sponsorships, leaving an unencumbered balance of \$19,000; and

**WHEREAS**, the approved Discretionary Fund has a current balance of \$32,472.06; and

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**WHEREAS**, at its regular meeting held on February 22, 2017, the City of Groton Utilities Commission authorized Groton Utilities' to sponsor the Thames River Heritage Park & Water Taxi at its' Conservator level sponsorship in the amount of Ten Thousand Dollars and No Cents (\$10,000.00), with Five Thousand Dollars and No Cents (\$5,000.00) to be paid from the approved fiscal year 2016-2017 Electric and Water Divisions' Economic Development Sponsorship budget and Five Thousand Dollars and No Cents (\$5,000.00) to be paid from approved fiscal year 2016-2017 Electric Division's Discretionary Fund budget, and furthermore that the City Council be apprised of this action with the recommendation that it concur;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council authorize Groton Utilities to sponsor the Thames River Heritage Park & Water Taxi at its' Conservator level sponsorship in the amount of Ten Thousand Dollars and No Cents (\$10,000.00), with Five Thousand Dollars and No Cents (\$5,000.00) to be paid from the approved fiscal year 2016-2017 Electric and Water Divisions' Economic Development Sponsorship budget and Five Thousand Dollars and No Cents (\$5,000.00) to be paid from approved fiscal year 2016-2017 Electric Division's Discretionary Fund budget.

Councilor Sheffield moved Councilor Ilvento seconded a motion to approve R-17-3-50. Mayor Galbraith said this was discussed at the COW last week. Motion carried.

**R-17-3-51 RESOLUTION THAT THE MAYOR AND COUNCIL INITIALLY APPROVE AN AMENDMENT TO ORDINANCE 124 "AN ORDINANCE REGULATING PEDDLERS, STREET VENDORS, ITINERANT VENDORS AND SOLICITORS IN THE CITY OF GROTON"**

**BE IT ORDAINED** by the Mayor and Council of the City of Groton:

**Section 1. Definitions**

a. The term "Peddler" as used in this Ordinance, shall mean any person, whether acting as principal or agent, who shall go from place to place, house to house, or from street to street, on foot or by vehicle, carrying any goods, wares, food, services or merchandise for the purpose of selling same to members of the public, or taking orders for the later delivery thereof. This term shall not be construed to hinder, forbid or prevent any person from obtaining, within the City of Groton, orders from merchants residing in the City of Groton for goods, wares, food, or merchandise purchased for the purpose of being resold by such merchants.

b. The term "Street Vendor" as used in this Ordinance, shall mean any persons, whether acting as principal or agent, who shall establish a temporary, movable and transient stand for the purpose of selling or offering to sell to members of the public goods, wares, food or merchandise, which stand is not connected to, and not under the full control of, an adjacent permanent business owned by such person or his or her principal.

c. The term "Itinerant Vendor" shall mean any person, whether acting as principal or agent, who engages in a Temporary or Transient Business, either in one location or traveling from place to place, selling goods, wares, or merchandise, and who, for the purpose of carrying on such business, hires, leases, or occupies any space, building or structure in the City for the exhibition and sale of such goods, wares or merchandise.

d. The term "Temporary or Transient Business" shall mean any exhibition and sale of goods, wares, or merchandise which is carried on in any tent, booth, building, or other structure, unless such place shall be open for business during usual business hours for a period of at least nine months in each year.

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- e. The term “Solicitor” shall mean any person who shall pass from house to house or from one address to another for the purpose of canvassing or soliciting goods, money or other articles or things.

**Section 2. Exemptions**

- a. The following classes of persons and businesses shall be exempt from the provisions of this Ordinance:
  - (1) farmers and gardeners offering for sale the product of their farms and gardens;
  - (2) vendors of Connecticut-made or produced goods, wares, food or merchandise offering products for sale at a farmers’ market approved by the City;
  - (3) sales of milk and milk products not including ice cream or other frozen milk products;
  - (4) sales made to dealers and business establishments by commercial travelers or selling agents;
  - (5) sales made to regularly established customers at their place of residence;
  - (6) sales made by charitable or civic organizations during the continuance of any fund raising activity, garage sales, tag sales, auctions and similar activities conducted by private persons, provided none of such activities shall exceed three (3) consecutive days nor more than three (3) times a year;
  - (7) sales made by minors who are residents of the City of Groton;
  - (8) bona fide sales of goods, wares, or merchandise by sample for future delivery;
  - (9) sales or fundraising made by non-profit organizations;
  - (10) sales of goods, wares, food or merchandise during any sale, annual fair, bazaar or auction held on the grounds of any church corporation, governmental entity or any organization which is exempt from taxation under Section 501 (c)(3) of the Internal Revenue Code or any subsequent corresponding Internal Revenue Code of the United States as from time to time amended;
  - (11) garage and/or tag sales and similar activities conducted by private residents on private premises devoted to residential use, provided none of such activities shall exceed three (3) consecutive days nor more than three (3) times a year.
- b. No Street Vendor, Itinerant Vendor or Solicitor shall be relieved or exempted from the provisions or requirements of this Ordinance by reason of associating temporarily with any local dealer, auctioneer, trader, merchant, or by conducting any Temporary or Transient Business, in connection with or in the name of any local dealer, auctioneer, trader or merchant.
- c. In lieu of license and permit requirements herein, a special temporary permit may be issued by the Chief of Police or designee to vendors of toys, flags, popcorn, novelties, balloons, and food stuffs at parades, bazaars and special functions located within the City of Groton. The permit

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application form shall be the same as provided in Section 8 hereof, except that the permit fee shall be twenty-five dollars (\$25.00), plus an additional fee of ten dollars (\$10.00) for each employee or agent of such vendor. Each permit shall be limited to the route of the parade, the location of the bazaar or special function. Such permit shall expire upon the end of the parade, bazaar or special function. Nothing in this subsection shall require a person already holding a valid applicable permit to obtain a special permit in addition to the existing permit.

- d. No Street Vendor shall be relieved of the requirement to be licensed and approved by the Ledge Light Health District or other entity acting as the City Health District.
- e. Nothing herein shall require full-time students, who are residents of the City of Groton, to pay a permit or license fee for sale of newspapers, magazines or periodicals. All other provisions of this Ordinance shall apply to full-time students engaged in such activities, including, but not limited to, the requirements to obtain permits and licenses.

**Section 3. Licenses**

- a. No person, other than those exempted in Section 2, shall engage in the business of peddling, vending or soliciting, unless they have first obtained a license to do so issued by the Chief of Police or designee.
- b. Such license shall be issued in the name of the peddler, vendor or solicitor only, and shall not be transferable.
- c. No permit under this Ordinance shall be issued involving the sale or distribution of food or consumption products without the applicant having first obtained a permit from Ledge Light Health District.

**Section 4. License Application**

- a. The following information is required for a license application:
  - (1) name and address;
  - (2) age, weight, height, color of hair and eyes;
  - (3) a brief description of the nature of the products to be sold and the trade name, if any, under which such business will operate;
  - (4) if this applicant is to be employed by or associated with another licensee, permittee or applicant therefor, the name of such other licensee, permittee or applicant;
  - (5) the applicant's finger prints, if required by the Chief of Police or designee;
  - (6) a statement as to whether or not the applicant has been convicted of any crime, including misdemeanors and motor vehicle violations, the nature of the offense, if any, and the punishment or penalty assessed therefor;
  - (7) the name of any municipality or state for which the applicant has previously sought a license or permit as a Peddler, Street Vendor, or Solicitor, and the dates of such application;

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- (8) a fee as set forth in Section 6 hereof, except in the case of a licensee who is also a permittee, in which case the fee shall be as set forth in Section 8 hereof;
  - (9) the registration number and the name of the owner of any motor vehicle which will be used in connection with the applicant's business, and;
  - (10) a description of the route to be served, or the table vehicles from which sales will be made, or the temporary or transient business location where sales will be made, and in the case of itinerant vendors, the specific five day period when sales will be made.
- b. Each person applying for a license shall have their photograph taken by the Police Department of the City of Groton for inclusion on the license.

**Section 5. License Identification**

Upon receipt of such application, the Chief of Police or designee, shall, within twenty-one days, investigate the applicant's background to the extent necessary to protect the public good. Upon completion of such investigation the Chief of Police or designee shall:

- (1) Endorse on any application found unsatisfactory disapproval and the reason therefore, and return same to the applicant by mailing to the address listed on the application; or
- (2) Endorse on any application approval, execute a license and notify the applicant by mail that the prescribed license can be obtained upon payment of the required fee. A copy of this Ordinance shall be given to all licensees at the time the license is issued.

**Section 6. License Fee**

- a. The license fee for all Peddlers, Street Vendors, Itinerant Vendors and Solicitors, except permittees, shall be twenty-five dollars (\$25.00). Licenses for all Peddlers, Street Vendors, and Solicitors, other than Itinerant Vendors, shall be issued for each year. All licenses, except for Itinerant Vendors, shall expire one year from date of issue. The fee shall not be refundable or prorated regardless of whether or not the licensee conducts their business for an entire year. Licenses for Itinerant Vendors shall be only for five days duration, and may only be renewed for an additional five days upon payment of additional license fee and filing of an additional application. No license fee shall be required of veterans honorably discharged from the service of the Armed Forces of the United States of America.
- b. The license fee may be changed from time to time by resolution of the City Council.

**Section 7. Permits**

- a. Unless employed by a person who has obtained a permit, no licensee shall engage in activity as a Peddler, Street Vendor, Itinerant Vendor or Solicitor without having first obtained a permit to do so from the Chief of Police or designee.
- b. Said permits will be issued for either:
- (1) in the case of Peddlers, a particular sales route for a particular product;

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- (2) in the case of Street Vendors and Itinerant Vendors, for a particular product, table, vehicle, or transient or temporary location, and in the case of Itinerant Vendors, for a specific five day period; or
- (3) in the case of a Solicitor, for a particular purpose.

**Section 8. Permit Application**

- a. The initial permit application for a particular route, table, vehicle, or location shall constitute the permit application for said route, table, vehicle, location, which permit shall be issued in the name of the initial permittee. In addition to the requirements of the permit application, the permit application must include:
  - (1) a permit fee as prescribed below or as amended from time to time by resolution of the Council;
  - (2) a list of the names and addresses of all licensees to be employed by the permittee, which list shall be updated for each new licensee employed; and
  - (3) conclusive proof of the possession of a State of Connecticut Sales and Use Tax Permit and, where applicable, a State of Connecticut Vendor's Permit.
- b. Permit Fees shall be as follows or as amended from time to time by City Council resolution:  
Annual permit which allows for daily use – \$200  
Seasonal permit for weekend use – \$100
- c. The fee for an initial annual permit shall be prorated from time of application until expiration on June 30.
- d. In the case of a Peddler or Itinerant Vendor:
  - (1) a bond running to the City of Groton in the sum of one thousand dollars (\$1,000.00) executed by the permittee as principal with two sureties upon whom service of process may be made in the State of Connecticut, said bond to be in a form approved by the City Attorney, conditioned that said permittee shall comply fully with all of the provisions of ordinances of the City of Groton and statutes of the State and shall pay all judgements rendered. Said bond shall be held by the City of Groton for a period of three months beyond the expiration of the permit or the surrender of the same to the City of Groton; and
  - (2) an instrument nominating and appointing the City Clerk the true and lawful agent of the permittee with full power and authority to acknowledge service of notice of process for and on behalf of the permittee for all business transacted pursuant to the permit or for the performance of the conditions of the bond or for any breach thereof.

**Section 9. Renewals of Permits**

- a. Annual permits other than permits for Itinerant Vendors, shall be issued on July 1 of each year providing that the renewal application is submitted by June 1. Annual permits, except permits for Itinerant Vendors, shall expire on June 30 of each year. Seasonal permits for weekend use are available for a period not to exceed four months. Permits for Itinerant Vendors shall only be for

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five days duration upon payment of an additional permit fee and the filing of an additional application.

b. Permits may be renewed upon the payment of the appropriate fee to the Chief of Police or designee. New permit stickers shall be issued for each renewal period.

**Section 10. License Identification**

Each licensee shall be issued a license identification which shall bear the words "Licensed Peddler and Vendor", the number of the license, its year of issuance, a photograph of the licensee, and the number of the permit under which the licensee is working. New license identifications shall be issued for each year of the permit under which it was issued. Licenses for itinerant vendors shall further indicate the five-day period when sales can be made.

**Section 11. Permit Sticker**

Each permittee shall be issued a permit sticker which shall bear the words "Peddling and Vending Permit", the permit number, the date of issue, the name of the permittee, if applicable, the registration of the motor vehicle to which the permit attaches and for Itinerant Vendors, the five day period during when such sales can be made.

**Section 12. Display of License Identification and Permit Sticker**

a. Each licensee shall be required to wear license identifications in a visible position on the left-hand upper body whenever engaged in peddling or vending and shall make said license identifications available for inspection at the request of any citizen.

b. Each permittee shall be required to affix the permit sticker to the exterior of the vehicle, cart, stand, carrying case, or supporting structure utilized in peddling or vending in a location clearly visible to the public, and shall make said permit sticker available for inspection at the request of any citizen.

**Section 13. Provisional License or Permit**

In the case of seasonal vendors or peddlers or in any other case where good cause exists, the Chief of Police or designee, may, at the time an applicant files their application, issue a provisional license or permit to such a person which will remain in effect during the time the application is being processed.

**Section 14. Substitute Licensee**

In the event a licensee becomes ill or is otherwise unexpectedly unable to engage in the business for which they had been licensed, they may appoint a substitute to carry on their business, provided they have notified the Chief of Police or designee of such appointment and the reason(s). Any violations of this Ordinance by such substitute shall be grounds for revocation of the licensee's business. If the licensee remains disabled for a period of seven consecutive days, the substitute licensee may continue to vend or peddle only if they apply for a permanent license and received a provisional license in their own name.

**Section 15. Food Sales**



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- a. Street Vendors engaged in the sale of food products for human consumption from licensed motor vehicles or other vehicles specifically designed for the exclusive purpose of dispensing food, shall be approved by Ledge Light Health District (or the City's designated Health District), and shall engage in such sale only upon a public street.
- b. No Street Vendor or Itinerant Vendor operating on or within fifty feet of Eastern Point Road from Thames Street to Chester Avenue, Poquonnock Road from Chicago Avenue to Thames Street or Forest Street, Mumford Avenue or Chester Street shall heat or cook food for sale and consumption on a grill detached from a vehicle.

**Section 16. Refuse Disposal**

All Street Vendors shall make adequate provisions for collection and disposal of all used containers, wrappings and other disposables, including garbage. All Street Vendors engaged in food sales shall be responsible for keeping the area within twenty-five feet of their vehicle, or table, clean, neat and free of litter, including garbage.

**Section 17. Location for Vending and Peddling**

- a. Street Vendors shall only sell goods, wares, food, or merchandise, as applicable, in the following areas:
  - (1) On public streets other than in an area zoned for residential use;
  - (2) On City-owned public property other than public streets as part of an event permitted by the Department of Parks and Recreation and conforming to all applicable rules, regulations and requirements, including insurance requirements, governing the use of such property and with the approval of the authorized event organizer; and
  - (3) On the grounds of any church corporation, governmental entity or any corporation which is exempt from taxation under Section 501 (c)(3) of the Internal Revenue Code, as from time to time amended, during any sale, fair, auction or bazaar held by or sponsored by said church organization, governmental entity, or tax exempt corporation.
- b. Licensed, permitted Peddlers and may in person enter upon private property for the purpose of selling goods, wares, food or merchandise as defined in Section 1 (a) of this Ordinance.
- c. Licensed, permitted Solicitors may in person enter upon private property for the purpose of canvassing or soliciting goods, money or other articles or things.

**Section 18. Noise Regulations**

No Peddler, Street Vendor, or Itinerant Vendor shall create a disturbance by the continued use of horns, sirens, bells or any other sound producing device, but such Peddler, Street Vendor or Itinerant Vendor may, during daylight hours, make a signal reasonably loud enough to attract the attention of customers in the immediate vicinity provided such signal shall not be enhanced by amplifying equipment.

**Section 19. Revocation**

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The Chief of Police or designee may revoke the license or permit of any person for any of the following reasons:

- (1) violations of any provisions of this Ordinance;
- (2) fraud, misrepresentation or false statement contained in the application for a license or permit;
- (3) fraud, misrepresentation or false statement made in the course of carrying on the licensee's or permittee's business;
- (4) conviction of any felony or any misdemeanor involving moral turpitude;
- (5) violation of any laws or regulations pertaining to the operation of motor vehicles, including parking thereof, labor, taxation, workmen's compensation, insurance, health and sanitation, littering, weights and measures, consumer protection, trespassing or disturbance of the peace or public safety, provided such violations occur during or related to the licensee's or permittee's business operations.

**Section 20. Permit Revocation**

Revocation of the license of a person employed by or associated with a permittee may be grounds for revoking the permit of such employer or associate.

**Section 21. Appeal**

Any person aggrieved by the action of the Chief of Police or designee of denying their application or revoking their license permit shall have the right of appeal to the Mayor and Council of the City of Groton or their delegates. After notice of the appeal has been filed with the City Clerk, the Mayor and Council, or their delegates, shall schedule a hearing within fourteen (14) days from such filing. Notice of time and place of the hearing shall be mailed to the appellant at the address appearing on the application. At the conclusion of the hearing, the Mayor and Council, or their delegates shall render a decision denying or granting the appeal or modifying the action taken by the Chief of Police or designee. This decision shall be final. A decision to grant the appeal in whole or in part shall require a majority vote of those present and voting. The City Clerk shall mail the disposition of the appeal by certified mail to the appellant within ten days of the Mayor and Council's decision.

**Section 22. Penalty**

In addition to any penalties herein provided any person who shall violate any of the provisions of this Ordinance other than Section 6 shall be fined not more than one hundred dollars (\$100.00) for each such offense.

**Section 23. Effect on Prior Ordinances**

Ordinance No. 59 entitled "An Ordinance Regulating Peddlers and Street Vendors and Itinerant Vendors" and amendment dated March 4, 1985 is hereby repealed.

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**Section 24. Effective Date**

This Ordinance “An Ordinance Regulating Peddlers, Street Vendors, Itinerant Vendors and Solicitors in the City of Groton” shall become effective upon final approval.

**WHEREAS**, this Ordinance was established in order to update the current Connecticut General Statutes and regulations regarding peddlers, street vendors, itinerant vendors and solicitors in the City of Groton; and

**WHEREAS**, this Ordinance will repeal Ordinance No. 59 entitled “An Ordinance Regulating Peddlers and Street Vendors and Itinerant Vendors” and amendment to Ordinance No. 59 dated March 4, 1985; and

**WHEREAS**, at the Mayor and Council meeting held on January 3, 2000, the Mayor and Council initially approved this Ordinance; and

**WHEREAS**, the initial approval of this Ordinance was published in *The Day*, a newspaper having circulation in the City of Groton on January 6, 2000 and January 15, 2000; and

**WHEREAS**, this Ordinance was finally approved at the Mayor and Council meeting on February 7, 2000; and

**WHEREAS**, the final approval of this Ordinance was published in *The Day*, a newspaper having circulation in the City of Groton on February 10, 2000; and

**WHEREAS**, the amendment will become effective upon approval;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council initially approve an amendment to Ordinance 124 “An Ordinance Regulating Peddlers, Street Vendors, Itinerant Vendors and Solicitors in the City of Groton”.

Councilor Heede moved Councilor Rusk seconded a motion to approve R-17-3-51.  
Mayor Galbraith said it will be read for a second time April 3<sup>rd</sup>. Motion carried.

**X. EXECUTIVE SESSION**

Councilor Ilvento moved Councilor Rusk seconded a motion to enter into Executive Session pursuant to CGS 1-200(6)(A) to discuss personnel to include Chief Tom Davoren.

Motion carried.

Executive Session commenced in C8 at 8:35 p.m.

Executive Session ended at 9:26 p.m.

**XI. COMMENTS FROM EXECUTIVE SESSION**

Councilor Ilvento moved Councilor Sheffield seconded a motion to amend the agenda to add resolution R-17-3-52. Motion carried.

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**R-17-3-52 RESOLUTION THAT THE MAYOR AND COUNCIL ACCEPT AND APPROVE THE RETIREMENT OF POLICE CHIEF THOMAS DAVOREN FROM THE CITY OF GROTON POLICE DEPARTMENT EFFECTIVE JUNE 1, 2017**

**WHEREAS**, Police Chief Thomas Davoren has informed the Mayor of his intent to leave his position with the City of Groton Police Department by reason of retirement effective June 1, 2017;

**THEREFORE, BE IT RESOLVED** that the Mayor and Council accept and approve the retirement of Police Chief Thomas Davoren from the City of Groton Police Department effective June 1, 2017.

Councilor Ilvento moved Councilor Rusk seconded a motion to approve R-17-3-52. Mayor Galbraith thanked Chief Davoren for all he has done to build a diverse and professional department. Motion carried.

**XII. ADJOURNMENT**

Councilor Ilvento moved Councilor Rusk seconded a motion to adjourn. Motion carried.

**Mayor Galbraith adjourned the meeting at 9:27 p.m.**

**ATTEST:**

**APPROVED:**

**Debra Patrick  
City Clerk**