

**WATER POLLUTION CONTROL AUTHORITY &
TOWN COUNCIL MEETINGS OF NORTH BRANFORD, CONNECTICUT**

Tuesday, February 17, 2004

**Town Council Chambers
7:00 p.m.**

SALUTE TO THE FLAG

1. ROLL CALL: Present were Mayor Michael Doody, Deputy Mayor Vincent Candelora, Council Members Mary Bigelow, Donald Fucci, George Guertin, Ashley Joiner, John Lappie and Joanne Wentworth. Also present were Town Manager Karl Kilduff and Town Attorney John Gesmonde.

Council Member Andrew Esposito was absent due to the death of a friend.

2. MINUTES OF PREVIOUS MEETING:
 - a. February 3 - Regular WPCA & Town Council Meeting

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Bigelow, to accept the minutes of the February 3, 2004 Regular Water Pollution Control Authority and Town Council Meeting as presented.

VOTE: Passed 7 to 0 with 1 abstention in a roll call vote.

FOR: Mayor Doody, Deputy Mayor Candelora, Councilors Mary Bigelow, Donald Fucci, Ashley Joiner, John Lappie and Joanne Wentworth

ABSTAIN: Councilor George Guertin

WATER POLLUTION CONTROL AUTHORITY AGENDA

3. CORRESPONDENCE/CITIZENS' STATEMENTS

There were no correspondence or citizens' statements at this time.

4. UNFINISHED BUSINESS: None.

5. NEW BUSINESS: None.

6. CITIZENS' STATEMENTS AND PETITIONS

There were no citizens' statements or petitions at this time.

REGULAR TOWN COUNCIL AGENDA

Due to the large number of citizens in attendance, Mayor Doody requested to take up item 10. Citizens' Statements and Petitions and Correspondence at this time. Council members had no objection to this.

10. CITIZENS' STATEMENTS AND PETITIONS AND CORRESPONDENCE

Mayor Doody opened the meeting to citizens' statements.

Linda DeFrancesco Re: Requesting support from the Council on Bill #52-15, Public Act 3-234 regarding property tax exemption for farm buildings. She read from a prepared statement and presented information to the Council on the State statutes with respect to this.

Joe DeFrancesco Re: Property tax exemption for farm buildings. He advised the Council that each Town must review and approve its own property tax exemption for farm buildings. They are requesting that the Council look into this exemption for North Branford farmers.

Al Rose
40 Valley Road Re: Property tax exemption for farm buildings. He spoke on the regulations which he noted are quite strict. He stated that he was not sure how many farmers would actually qualify for this exemption or what the tax impact would be to the Town. He requested that the Council review a possible property tax exemption for farm buildings in North Branford.

Elizabeth Caplan
86 Old Post Road Re: Board of Education budget. She felt that this was a bare bones budget. She requested that the Council keep an open mind and have an open dialogue with the Board of Education on this budget. She felt that this investment in education is an investment in the future. She also spoke on the need for reasonable economic growth in town.

Dudley Harrison
North Street

Re: Budget. He suggested that there be a change in the Town's Charter to allow for a referendum vote rather than the Town Meeting. He felt that there were many residents who are not represented at the Town Meeting as it is held in the evening.

Marilyn Messner
404 Village Street

Re: Board of Education budget. She requested that the Council and the public visit the schools to see the condition of the buildings. She spoke on the need to work on economic development.

Lorane Black
45 Harrison Road

Re: Route 80 widening. She requested that sidewalks and better lighting be included in the plans for the Route 80 widening in the Town center. She felt that sidewalks are needed to connect from the library to Central Plaza for safety and convenience. As the Town is trying to encourage economic development and attract businesses and residents to North Branford, she felt that the Town should have an attractive, appealing Town Center. She also concurred with the recommendation to reconfigure Church Street to intersect with Route 22/Notch Hill Road.

Resident

Re: Route 80 widening. She was concerned with the taking of any property from the North Branford Congregational Church. She questioned if there was a way to detour around this area and find an alternate route to take traffic away from the center.

Deputy Mayor Candelora clarified that sidewalks have been included in the Route 80 widening from Route 139 to the Community Center. The Council is also looking to extend sidewalks into the final phase of the project. Deputy Mayor Candelora also addressed the reconfiguration of Church Street to intersect with Route 22/Notch Hill Road at the traffic light. He confirmed that the lighting will also be addressed. He stated that the Town has limited authority with respect to this as it is a State project.

Mrs. Black

Re: Route 80 widening. Spoke on the minimal cost of doing this project right and having Church Street intersect with Route 22/Notch Hill Road.

Mr. Harrison Re: Route 80 widening. Questioned who is responsible to include crosswalks and signals in the project.

Mayor Doody indicated that all safety measures should be included in the project and he confirmed that the Town will be requesting crosswalks.

Florence Hogan
1705 Foxon Road Re: Route 80 widening. Questioned why the widening is going all the way to the bridge just past her house.

Council members responded to the questions and concerns with respect to the Route 80 widening project. It was noted that the plans are available for the public's review in the Town Hall.

Leo Black
45 Harrison Road Re: Route 80 widening. Questioned if a sewer line will be included in the final phase of the project.

Town Engineer Kurt Weiss briefly reviewed the sewers in this area.

Town Manager Karl Kilduff reported that a grant has been received from the State to extend sewers from Twin Lakes Road to the railroad bridge. He also briefly reviewed the location of the proposed sidewalks for this project.

Janet Gregan
Stair Brook Way Re: Route 80 widening. Thanked the Council and the Town Manager for listening to the residents and taking action on this. She stated that she did not want the Church to lose any of the Green. She suggested that the widening of Route 80 stop at the Notch Hill Road intersection.

Paul Nanamaker
North Street Re: Route 80 widening. Felt that the reconfiguration of Church Street to a four way intersection with Notch Hill Road is the best solution. He did not feel that the traffic study and traffic counts for this area were accurate.

Town Manager Kilduff reported on his meeting with the Council of Governments (COG) and the Town Engineer with respect to the Church Street issue. COG has indicated that the reconfiguration of Church Street should be included in the current project. The Town Manager is requesting from the Council authorization to send a letter to the Commissioner of the Department of Transportation to include the reconfiguration of Church Street as part of the Route 80 project at this time. He also requested authorization from the Council to send a letter to the COG Transportation Committee requesting that no monies be disbursed on this project until the design meets with the Town's satisfaction.

Linda DeFrancesco

Re: Greenhouses. She spoke on a previous issue before the Council with respect to greenhouses. She stated that greenhouses are temporary structures and should be tax exempt. She reviewed definitions for greenhouses from New York, New Jersey and Rhode Island and pointed out that Connecticut's exemptions are open to the interpretation of the tax assessor. She requested that the Council define greenhouses as temporary structures so that local farmers may compete in the market to sell their products.

Joe DeFrancesco

Re: Greenhouses. He pointed out that the Town had not previously taxed greenhouses until 2002. He indicated that the greenhouses do not contain glass or a permanent foundation and are only used for three to four months a year. He felt that in order to keep farming in North Branford the town should be helping the farmers. He stated that they would like to hear back from the Council on this issue.

Nelson Cecarelli
Village Street

Re: Spoke in strong support of both farming proposals. He felt that the Town needed a comprehensive plan to include tax incentives for the farmers in order to keep the farms going. He noted that open space is a winner for the Town. He stated that it is even more cost effective and beneficial to the Town if the farmers keep farming their land and the property remains privately owned by the farmers while serving the community.

Dave Hultgren
Ledgewood Drive

Re: Route 80 widening. Questioned the proposal for the entrances and exits at Central Plaza and whether or not traffic signals would be included there.

Town Engineer Weiss briefly addressed the questions regarding the Central Plaza entrances. He indicated that no traffic lights are proposed.

Ms. Hogan

Re: Route 80 widening. Questioned who would keep the sidewalks clear of snow.

Bob Gregan, Landscape Architect
Stair Brook Way

Re: Route 80 widening. He spoke on the letter to the Council from Scott Small, Architect and indicated as members of the Town's Design Review Committee they would like the opportunity to review the plans from the State. He thanked the Council for its assistance with this project.

7. **REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS:**

a. Board of Education Financial Report - As of February 1, 2004

The Council was in receipt of the Board of Education Financial Report as of February 1, 2004 (Attachment 1).

b. Finance Committee

Deputy Mayor Candelora reported that the Finance Committee met with the Board of Education in order to discuss the upcoming budget. He stated that a second meeting was held in order to discuss the sewer budget.

c. Land Preservation Committee

Town Manager Kilduff reported that the Land Preservation Committee held a public hearing regarding the acquisition of the Hyland property. At the conclusion of the public hearing, the Committee recommended the appropriation of funds from the Open Space Trust Fund to purchase this property.

d. Pension Committee

Deputy Mayor Candelora reported that the Pension Committee continued to review and discuss managed futures. He noted that the language regarding the investment plan has been referred to the Town Attorney for review.

e. Hazardous Waste/Recycling Committee

Councilor Bigelow reported that the Committee has been working on the informational cards, the recycling Ordinance which will be reviewed by the Town Manager, and the Bottle Bill which is being proposed.

8. **TOWN MANAGER'S REPORT**

Town Manager Kilduff reviewed with the Council his Memorandum dated February 12, 2004 (Attachment 2). He reviewed the rate increases being proposed by CRRA for waste disposal.

The Town Manager distributed to Council members a letter dated February 17, 2004 from Scott Small, Architect regarding the Route 80 widening. He also distributed for the Council's review a survey from Senator DeLuca and Senator Aniskovich regarding Binding Arbitration and change in the prevailing wage law. He reviewed the responses to this with the Council. The Council had no changes and this will be forwarded on to the Senators by the Town Manager.

Town Manager Kilduff presented a proposed time schedule for the budget process. After review, the Council concurred with the schedule as presented.

9. COMMUNITY EVENTS AND PRESENTATIONS

There were no community events or presentations.

11. RESIGNATIONS AND APPOINTMENTS

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council hereby reappoints David Rathbun to the Hazardous Waste/Recycling Committee for a term to expire December 31, 2004.

VOTE: Passed 8 to 0 in a roll call vote.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council hereby reappoints Kate Fleming to the Hazardous Waste/Recycling Committee for a term to expire December 31, 2005.

VOTE: Passed 8 to 0 in a roll call vote.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Guertin, that the North Branford Town Council hereby reappoints Thomas Scelfo to the Hazardous Waste/Recycling Committee for a term to expire December 31, 2005.

VOTE: Passed 8 to 0 in a roll call vote.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby reappoints Margaret Hrabchak to the Hazardous Waste/Recycling Committee for a term to expire December 31, 2005.

VOTE: Passed 8 to 0 in a roll call vote.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Guertin, that the North Branford Town Council hereby appoints Guy Stone to the Zoning Board of Appeals for a term to expire December 31, 2006

Deputy Mayor Candelora confirmed that this is a new appointment replacing Kirt

Westfall.

VOTE: Passed 8 to 0 in a roll call vote.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council hereby reappoints Mike Tobin as an alternate to the Zoning Board of Appeals for a term to expire December 31, 2004.

VOTE: Passed 8 to 0 in a roll call vote.

- a. Appointment to Sub-committee of the Permanent Project Building Committee

Town Manager Kilduff indicated that the appointments to the subcommittee of the Permanent Project Building Committee which will review the intermediate school project had been tabled from the last meeting. He noted that three members from the Permanent Project Building Committee and the two Board of Education members on the Permanent Project Building Committee will be members of this subcommittee. The Committee is looking for two appointments from the Town Council to this subcommittee.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby appoints Council Member George Guertin to the Subcommittee of the Permanent Project Building Committee.

VOTE: Passed 7 to 0 with 1 abstention in a roll call vote.

FOR: Mayor Doody, Deputy Mayor Candelora, Councilors Mary Bigelow, Donald Fucci, Ashley Joiner, John Lappie and Joanne Wentworth

ABSTAIN: Councilor George Guertin

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Guertin, that the North Branford Town Council hereby appoints Council Member Ashley Joiner to the Subcommittee of the Permanent Project Building Committee.

VOTE: Passed 7 to 0 with 1 abstention in a roll call vote.

FOR: Mayor Doody, Deputy Mayor Candelora, Councilors Mary Bigelow, Donald Fucci, George Guertin, John Lappie and Joanne Wentworth

ABSTAIN: Councilor Ashley Joiner

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Lappie, to amend the Town Council Agenda to add on under 13. New Business, item e. Discussion and Action Re: Intermediate School Scope of Project.

VOTE: Passed 8 to 0 in a roll call vote.

12. UNFINISHED BUSINESS:

- a. Discussion and Action Re: Feedback to DOT on Route 80 Widening

Town Manager Kilduff requested that the Council take action on the authorization of sending letters to the Commissioner of the Department of Transportation and the Transportation Committee of COG.

MOTION: Councilor Wentworth moved, seconded by Councilor Joiner, that the North Branford Town Council hereby authorizes Town Manager Karl Kilduff to write a letter to the Commissioner of the Department of Transportation requesting that the reconfiguration of Church Street be made a part of the Route 80 reconstruction project at this time and to write a letter to the Council of Government's Transportation Committee requesting that no monies be disbursed on the Route 80 project until the redesign of Church Street meets with the Town's satisfaction.

VOTE: Passed 8 to 0 in a roll call vote.

- b. Discussion and Action Re: Sale of State-owned Land at 484 Village Street

Town Manager Kilduff reviewed with the Council a letter dated February 5, 2004 from the Department of Transportation regarding the State-owned property at 484 Village Street. He briefly reviewed the history on this and indicated that the State is now offering this parcel to the Town.

The Council confirmed that it was not interested in this parcel of land.

- c. Discussion and Action Re: Ambulance Staffing Services

Town Manager Kilduff reviewed a Memorandum dated February 12, 2004 from Treasurer/Finance Director Anthony Esposito regarding the Ambulance Staffing Proposal. He reported on the response to the RFP and confirmed that Vintech was one of the lowest bidders. He also noted that the RFP and contract contain language that Vintech hire any interested North Branford ambulance personnel and that one person from North Branford be assigned per shift, if possible. He stated that volunteers will continue to provide backup service.

MOTION: Councilor Wentworth moved, seconded by Councilor Guertin, that BE IT HEREBY RESOLVED that the North Branford Town Council, based on the recommendation of the Ambulance Study Sub-Committee, instructs Karl F. Kilduff, Town Manager, to enter into a contract with Vintech Management Service LLC, pursuant to the provisions of their response to RFP#3 2003/2004 "Emergency Ambulance Personnel Service" including, but not limited to, an initial hourly rate of \$16.50 per hour to provide a Medical Response Technician (MRT) and an initial hourly rate of \$17.50 per hour to provide an Emergency

Medical Technician (EMT).

Councilor Joiner questioned if Town ambulance personnel will be working for this company. Town Manager Kilduff again confirmed that language has been included to this effect.

VOTE: Passed 8 to 0 in a roll call vote.

13. NEW BUSINESS:

- a. Discussion and Action Re: Agreement for Additional Construction Services on Mill Road Bridge

Town Engineer Kurt Weiss briefly reviewed with the Council his Memorandum dated February 12, 2004 regarding the Mill Road Bridge Replacement. He reported that the contractor had expended more than allowed in the current contract and that an amendment to the contract for their additional work and time is needed. He confirmed that this amount is fully reimbursable by the State, all work has been completed and that these are the final figures.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council authorizes the Town Manager to execute a Supplemental Agreement with DTC Inc., for construction inspection and administrative services for the Mill Road Bridge replacement project, not to exceed the amount of \$142,999.50, subject to final review and approval of said agreement by the Town Attorney and the Connecticut Department of Transportation.

VOTE: Passed 8 to 0 in a roll call vote.

- b. Discussion and Action Re: Possible Ordinance for Tax Delinquency Fee

Town Manager Kilduff reviewed House Bill No. 6806 as well as the proposed Ordinance Regarding Tax Delinquency Reports to Department of Motor Vehicles. He noted that the \$5 fee would offset the 50 cents per automobile that the Town is being charged by the State.

There was some discussion on this between Council members and the Town Manager.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Bigelow, that the North Branford Town Council hereby schedules a public hearing on Ordinance Regarding Tax Delinquency Reports to Department of Motor Vehicles for the Town Council meeting on March 2, 2004 at 7:30 p.m.

VOTE: Passed 7 to 0 with 1 abstention in a roll call vote.

FOR: Mayor Doody, Deputy Mayor Candelora, Councilors Mary Bigelow, Donald Fucci, George Guertin, Ashley Joiner, and John Lappie

ABSTAIN: Councilor Joanne Wentworth

- c. Discussion and Action Re: Financial Report - January 2004

Treasurer/Finance Director Anthony Esposito reviewed the Financial Report for January 2004 with the Council. He pointed out that revenues remain strong.

- d. Discussion and Action Re: Approval of Tax Refunds

MOTION: Councilor Lappie moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby approves the attached property tax refunds (Attachment 3).

VOTE: Passed 8 to 0 in a roll call vote.

- e. Discussion and Action Re: Intermediate School Scope of Project

Deputy Mayor Candelora spoke on the approval for the intermediate school project which was done quickly to secure the Town's percentage of reimbursement from the State. He stated that he was concerned that the Town is at or near its bonding capacity and the effect this project would have on the budget.

Town Manager Kilduff addressed the Town's bonding level and debt service which is currently 10% of the operating budget.

There was discussion on the Board of Education's Facilities Report. Deputy Mayor Candelora reviewed the Facilities Report as it relates to the intermediate school. He is requesting that the subcommittee for the intermediate school look at the renovation plan in the feasibility study as he felt that this was an alternative that the Town could afford.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Fucci, that the North Branford Town Council hereby amends the original motion passed at the Town Council meeting on Monday, June 30, 2003, and authorizes local funding for a portion of the middle school project for the purposes of renovating the intermediate school in an amount not to exceed \$10 million.

Councilor Joiner suggested that this item be tabled in order to review the study. She stated that she was unqualified to vote at this time as she had not seen the study.

There was further discussion between Council members on this issue.

Town Manager Kilduff spoke on the preservation of the reimbursement rate.

VOTE: Passed 7 to 1 in a roll call vote.

FOR: Mayor Doody, Deputy Mayor Candelora, Councilors Mary Bigelow, Donald Fucci, George Guertin, John Lappie and Joanne Wentworth

OPPOSED: Councilor Ashley Joiner

14. CITIZENS' STATEMENTS AND PETITIONS

There were no citizens' statements or petitions at this time.

Mayor Doody was in receipt of the following correspondence:

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| Regional Growth Partnership | Re: Budget information |
| Anne C. Neubig | Re: Relay For Life on June 5 & 6 in North Branford |
| Connecticut Conference of Municipalities | Re: MLR Data Reporter; Municipal Management Bulletin; Workshop on The Basics of Labor Relations, Negotiations & Arbitration; Federal Issues Bulletin; Training on Public Safety: Freedom of Information Act |
| Thompson Publishing Group | Re: Fair Labor Standards Handbook |
| Lorman Education Services | Re: Seminar on Zoning and Land Use in Connecticut |

15. ADJOURN TO EXECUTIVE SESSION:

- a. PENDING LITIGATION, PURSUANT TO CGS 1-200 (6) (B)

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby adjourns to Executive Session at 8:35 p.m. to discuss pending litigation, pursuant to CGS Section 1-200(6)(B); and that attendance at said Executive Session be hereby limited to Town Council members, the Town Manager and the Town Engineer.

VOTE: Passed 8 to 0 in a roll call vote.

Town Engineer Kurt Weiss departed at 9:04 p.m.

MOTION: Councilor Joiner moved, seconded by Councilor Wentworth, to return to open session at 9:13 p.m.

VOTE: Passed unanimously.

16. ADJOURNMENT

MOTION: Councilor Joiner moved, seconded by Councilor Wentworth, to adjourn the meeting at 9:13 p.m.

VOTE: Passed unanimously.

Respectfully submitted,

Rosanne Krajewski,
Clerk to the Council