

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

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**Tuesday, March 1, 2005**

**Town Council Chambers  
7:03 p.m.**

1. ROLL CALL: Present were Mayor Michael Doody, Deputy Mayor Vincent Candelora, Council Members Mary Bigelow, Andrew Esposito, Donald Fucci, David Hultgren, Ashley Joiner, John Lappie and Joanne Wentworth. Also present were Town Manager Karl Kilduff and Town Attorney John Gesmonde.
2. MINUTES OF PREVIOUS MEETING:
  - a. February 15 – Regular WPCA & Town Council Meeting

MOTION: Councilor Wentworth moved, seconded by Deputy Mayor Candelora, to accept the minutes of the February 15, 2005 Regular Water Pollution Control Authority and Town Council Meeting as presented.

VOTE: Passed 9 to 0 in a roll call vote.

**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**

7. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS:

a. South Central Regional Council of Governments

Town Manager Kilduff reported on the February 23<sup>rd</sup> meeting of COG. He noted that three legislators were present from the region that discussed municipal issues, municipal aid and the retention of the higher real estate transfer tax rate, which he briefly spoke on.

The Town Manager noted that additional information was presented on new transportation enhancements. A presentation was given by United Illuminating regarding planning in Connecticut with respect to utilities. He also indicated that he will be attending the RGP retreat which will be updating its mission statement.

b. Ethics Ordinance Review Committee

Councilor Lappie reported that the Ethics Ordinance Review Committee met and focused on the wording surrounding "conflict of interest". He indicated that some adjustments are being made to this wording and will be presented to the Council for review.

8. TOWN MANAGER'S REPORT

Town Manager Kilduff presented and reviewed with the Council his Memorandum dated February 24, 2005 (Attachment 1).

The Town Manager distributed to Council members the Board of Education Financial Report as of March 1, 2005 (Attachment 2).

Town Manager Kilduff reviewed the proposed schedule for the budget public hearing on April 5<sup>th</sup> and the budget workshops for the week of April 11<sup>th</sup>. It was the consensus of the Council that these dates were acceptable.

9. COMMUNITY EVENTS AND PRESENTATIONS

Deputy Mayor Candelora stated that the Rotary Club will be holding its Easter Egg Hunt on March 19<sup>th</sup> at 10:00 a.m. at the Connecticut Sportsplex.

10. CITIZENS' STATEMENTS AND PETITIONS AND CORRESPONDENCE

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

11. RESIGNATIONS AND APPOINTMENTS

MOTION: Councilor Esposito moved, seconded by Councilor Joiner, that the North Branford Town Council hereby appoints David Stannard to the Board of Assessment Appeals for a term to expire December 31, 2005.

VOTE: Passed 9 to 0 in a roll call vote.

**MOTION:** Councilor Esposito moved, seconded by Councilor Joiner, that the North Branford Town Council hereby reappoints Steven DeFrank to the Zoning Board of Appeals for a term to expire December 31, 2007.

**VOTE:** Failed 3 to 6 in a roll call vote.

**FOR:** Councilors Mary Bigelow, Andrew Esposito and Ashley Joiner

**OPPOSED:** Mayor Doody, Deputy Mayor Candelora, Councilors Donald Fucci, David Hultgren, John Lappie and Joanne Wentworth

**MOTION:** Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council hereby reappoints William Neubig to the Board of Assessment Appeals for a term to expire December 31, 2007.

**VOTE:** Passed 9 to 0 in a roll call vote.

**MOTION:** Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby reappoints Mark Perez to the Conservation and Inland Wetlands and Watercourses Agency for a term to expire December 31, 2006.

**VOTE:** Passed 9 to 0 in a roll call vote.

**MOTION:** Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby reappoints John Greening to the Economic Development Commission for a term to expire December 31, 2007.

**VOTE:** Passed 9 to 0 in a roll call vote.

**MOTION:** Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council hereby reappoints Ronald Bergmark to the Park and Recreation Commission for a term to expire December 31, 2007.

**VOTE:** Passed 9 to 0 in a roll call vote.

**MOTION:** Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council hereby reappoints Stephen Scavo as an alternate to the Planning and Zoning Commission for a term to expire May 31, 2005.

**VOTE:** Passed 9 to 0 in a roll call vote.

**MOTION:** Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby reappoints Daniel Munro to the Police Commission for a term to expire December 31, 2007.

Councilor Joiner reviewed the minority representative opinion previously given by the Town Attorney. She also reviewed the Charter language with respect to appointments. She requested an opinion on the following issue. She felt that if the majority party had three out of the five seats then the two remaining seats are for the minority party. If an unaffiliated is not part of a political party then she felt that the two remaining seats must be left for the minority party. Otherwise, Councilor Joiner noted that it would be a super majority rather than a bare majority. She requested an opinion from the Town Attorney on the issue of bare majority versus super majority with respect to political party affiliation.

Councilor Bigelow raised a question as to when the Town Charter disagrees with the State statute, which one rules. She requested an opinion from the Town Attorney on this.

Town Attorney Gesmonde requested each of these questions be submitted in writing. He noted that he may have previously rendered an opinion with respect to the Charter issue.

**MOTION:** Councilor Joiner moved, seconded by Councilor Bigelow, to table the appointment of Daniel Munro to the Police Commission.

Deputy Mayor Candelora noted that if the appointment is deemed invalid then the Council can rescind this appointment. The Town Attorney confirmed this.

**VOTE ON MOTION TO TABLE:** Failed 3 to 5 with 1 abstention in a roll call vote.

**FOR:** Councilors Mary Bigelow, Andrew Esposito and Ashley Joiner

**OPPOSED:** Deputy Mayor Candelora, Councilors Donald Fucci, David Hultgren, John Lappie and Joanne Wentworth

**ABSTAIN:** Mayor Doody

**VOTE ON DANIEL MUNRO APPOINTMENT:** Passed 5 to 3 with 1 abstention in a roll call vote.

**FOR:** Deputy Mayor Candelora, Councilors Donald Fucci, David Hultgren, John Lappie and Joanne Wentworth

**OPPOSED:** Councilors Mary Bigelow, Andrew Esposito and Ashley Joiner

**ABSTAIN:** Mayor Doody

**MOTION:** Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby appoints Michael Tobin as a regular member of the Zoning Board of Appeals to replace Steven DeFrank for a term to expire December 31, 2007.

**MOTION:** Councilor Joiner moved, seconded by Councilor Bigelow, to table the appointment of Michael Tobin to the Zoning Board of Appeals.

**VOTE ON MOTION TO TABLE:** Failed 3 to 6 in a roll call vote.

**FOR:** Councilors Mary Bigelow, Andrew Esposito and Ashley Joiner

**OPPOSED:** Mayor Doody, Deputy Mayor Candelora, Councilors Donald Fucci, David Hultgren, John Lappie and Joanne Wentworth

VOTE ON MICHAEL TOBIN APPOINTMENT: Passed 6 to 3 in a roll call vote.

FOR: Mayor Doody, Deputy Mayor Candelora, Councilors Donald Fucci, David Hultgren, John Lappie and Joanne Wentworth

OPPOSED: Councilors Mary Bigelow, Andrew Esposito and Ashley Joiner

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council hereby appoints Ed Boughton as an alternate member of the Zoning Board of Appeals for a term to expire December 31, 2007.

VOTE: Passed 6 to 3 in a roll call vote.

FOR: Mayor Doody, Deputy Mayor Candelora, Councilors Donald Fucci, David Hultgren, John Lappie and Joanne Wentworth

OPPOSED: Councilors Mary Bigelow, Andrew Esposito and Ashley Joiner

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby reappoints Gail LeFloch to the East Shore Public Health District Board of Directors for a term to expire June 30, 2006.

VOTE: Passed 8 to 0 with 1 abstention in a roll call vote.

FOR: Mayor Doody, Deputy Mayor Candelora, Councilors Mary Bigelow, Andrew Esposito, David Hultgren, Ashley Joiner, John Lappie and Joanne Wentworth

ABSTAIN: Councilor Donald Fucci

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby reappoints Donald Fucci to the East Shore Public Health District Board of Directors for a term to expire June 30, 2007.

VOTE: Passed 8 to 0 with 1 abstention in a roll call vote.

FOR: Mayor Doody, Deputy Mayor Candelora, Councilors Mary Bigelow, Andrew Esposito, David Hultgren, Ashley Joiner, John Lappie and Joanne Wentworth

ABSTAIN: Councilor Donald Fucci

- a. Appointment of Board of Education Representative to the Pension Committee

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council hereby appoints Larry Casey as the Board of Education representative to the Pension Committee.

VOTE: Passed 9 to 0 in a roll call vote.

- b. Appointment of Board of Education Alternate to the Pension Committee

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby appoints Ron Haskins as the alternate Board of

Education representative to the Pension Committee.

VOTE: Passed 9 to 0 in a roll call vote.

- c. Resignation from Zoning Board of Appeals

The Council was in receipt of a letter of resignation dated February 17, 2005 from Judy DeMaio resigning from the Zoning Board of Appeals.

- d. Resignation from Housing Authority

The Council was in receipt of a letter of resignation dated February 7, 2005 from Anna May Doody resigning from the Housing Authority.

12. UNFINISHED BUSINESS:

- a. Discussion and Action Re: None

13. NEW BUSINESS:

- a. Discussion and Action Re: Resolution Authorizing and Directing the Town Manager to Execute a Grant Subrecipient Agreement with the North Branford Housing Authority

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Joiner, that the Town Council of the Town of North Branford hereby authorizes and directs the Town Manager to execute a Sub-recipient Grant Agreement with the North Branford Housing Authority concerning the administration and eligible expenditures from a Small Cities Community Development Block Grant for capital improvements at the Hillside Terrace elderly housing complex.

VOTE: Passed 9 to 0 in a roll call vote.

14. CITIZENS' STATEMENTS AND PETITIONS

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

15. ADJOURN TO EXECUTIVE SESSION:

- a. PERSONNEL, PURSUANT TO CGS 1-200 (6) (A)

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Esposito, that the North Branford Town Council hereby adjourns to Executive Session at 7:30 p.m. to discuss personnel, pursuant to CGS Section 1-200(6)(A); and that attendance at said Executive Session be hereby limited to Town Council members and the Town Manager.

VOTE: Passed 9 to 0 in a roll call vote.

Mayor Doody departed the meeting at 7:30 p.m.

MOTION: Councilor Lappie moved, seconded by Councilor Wentworth, to return to open session at 7:57 p.m.

VOTE: Passed unanimously.

16. ADJOURNMENT

MOTION: Councilor Wentworth moved, seconded by Councilor Esposito, to adjourn the meeting at 7:58 p.m.

VOTE: Passed unanimously.

Respectfully submitted,

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Rosanne Krajewski,  
Clerk to the Council