

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

Tuesday, July 6, 2004

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

1. ROLL CALL: Present were Mayor Michael Doody, Deputy Mayor Vincent Candelora, Council Members Mary Bigelow, Andrew Esposito, Donald Fucci, George Guertin, 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. June 15 – Regular WPCA & Town Council Meeting

MOTION: Councilor Wentworth moved, seconded by Councilor Bigelow, to accept the minutes of the June 15, 2004 Regular Water Pollution Control Authority and Town Council Meeting as presented.

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

FOR: Mayor Doody, Deputy Mayor Candelora, Councilors Mary Bigelow, Andrew Esposito, 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

7. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS:

a. South Central Regional Council of Governments

Town Manager Kilduff reported on the June 23rd meeting of COG. He stated that the State Comptroller was present at the meeting and indicated that the State may have a moderate surplus this year that would be applied to the next fiscal year budget deficit.

The Town Manager indicated that an amendment was made to the Transportation Improvement Plan and that the Regional Housing Market Assessment Report was adopted as part of the Regional Plan of Development.

b. Charter Revision Commission

Deputy Mayor Candelora reported that the Charter Revision Commission has finalized its report to the Council. The Commission is recommending two amendments to the Charter. The first proposal is a recommendation to change the method of vote on the Annual Town Budget to a referendum format. The second recommendation is to allow for the publication of a summary of an Ordinance rather than printing the Ordinance in its entirety as a cost savings to the Town.

c. Consolidated Services Study Committee

Town Manager Kilduff reported that the Consolidated Services Study Committee has met to discuss general concepts for cost savings between the Town and the Board of Education. He noted two areas being considered for this are purchasing and information technology.

8. TOWN MANAGER'S REPORT

Town Manager Kilduff reviewed with the Council his Memorandum dated July 2, 2004 (Attachment 1).

9. COMMUNITY EVENTS AND PRESENTATIONS

There were no community events or presentations at this time.

10. CITIZENS' STATEMENTS AND PETITIONS AND CORRESPONDENCE

Mayor Doody opened the meeting to citizens' statements and petitions.

oversized trash cans could be a hardship to the homeowner, especially the elderly and residents with long, steep driveways during inclement weather in winter months. He spoke on concerns with storage of these large trash cans. He distributed for the Council's review photographs of nine homes on Berncliff Drive. He felt that if the automated system was done on a trial basis at this time it would not show the true conditions. He spoke at length on the problems he foresees in the future with automated trash pickup.

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Re: Supported the nomination of Liz Caplan to the Board of Education. He felt that she had a true desire to do public service.

11. RESIGNATIONS AND APPOINTMENTS

MOTION: Councilor Lappie moved, seconded by Councilor Guertin, that the North Branford Town Council hereby appoints Larry Casey to the Board of Education.

Councilor Esposito called a point of order with respect to the motion on the floor.

Councilor Joiner questioned if the resignation must be accepted by the Council prior to this appointment being made.

Town Attorney Gesmonde clarified that as long as the appointment is filling the Democratic vacancy any member of the Council can make the appointment. As to the acceptance of the resignation, Attorney Gesmonde indicated that the resignation is effective when it has been tendered.

Councilor Joiner advised that the Democrats have caucused and have chosen Liz Caplan as their appointment to the Board of Education in replacement of Mrs. Seaman. She felt that Mrs. Caplan is a superior candidate.

Councilor Esposito noted that Mr. Casey had pledged his allegiance to Mrs. Caplan.

Deputy Mayor Candelora pointed out that this is a Council appointment. He noted that the loss of Penny Seaman is a great loss to the Board and that Mr. Casey brings many past years of service and experience to the Board of Education. Deputy Mayor Candelora stated that with issues such as revamping the budget process and the vote on the budget Mr. Casey's experience is needed. He also pointed out that Mr. Casey ran in the last election obtaining 46% of the vote. He urged Mrs. Caplan to run in the next election.

Councilor Lappie stated that he has a deep respect for all that volunteer, particularly those who serve on the Board of Education. He felt that Mr. Casey is uniquely qualified to fill this position due to his past experience. Councilor Lappie also felt that Mr. Casey would help to open up the lines of communication between the Board of Education and the Town Council.

There was further discussion between Council members on Mr. Casey's appointment. It was confirmed that Mr. Casey has agreed to serve on the Board of Education.

VOTE: Passed 6 to 3 in a roll call vote.
FOR: Mayor Doody, Deputy Mayor Candelora, Councilors Donald Fucci, George Guertin, John Lappie and Joanne Wentworth
OPPOSED: Councilors Mary Bigelow, Andrew Esposito, and Ashley Joiner

7:30 p.m. Public Hearing on An Ordinance Amending Chapter 182 (“Peddling, Hawking and Vending”) of the Code of the Town of North Branford

Mayor Doody opened the public hearing at 7:38 p.m. Deputy Mayor Candelora read the Notice of Public Hearing (Attachment 2) into the record.

Mayor Doody opened the hearing to public comments. There were no public comments at this time.

Mayor Doody closed the public hearing at 7:40 p.m.

REGULAR TOWN COUNCIL AGENDA

12. UNFINISHED BUSINESS:

- a. Discussion and Action Re: Referrals to East Shore District Health Department

Town Manager Kilduff reviewed documents and information requested by the Council with respect to referrals to the East Shore Health Department, including Town Planning Requirements, information from the Department of Public Health, and informational brochures from the East Shore District Health Department.

Councilor Bigelow spoke on an article that appeared in the New Haven Register. She reviewed the Charter as to the duties of the Mayor and noted that no ultimatums can be given by the Mayor unless it is endorsed by the entire Town Council.

- b. Discussion and Action Re: An Ordinance Amending Chapter 182 (“Peddling, Hawking and Vending”) of the Code of the Town of North Branford

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Bigelow, to approve Ordinance Amending Chapter 182 (“Peddling, Hawking and Vending”) of the Code of the Town of North Branford as amended (Attachment 3).

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

- c. Discussion and Action Re: Ratifying the Retirement Plans for the Employees of the Town of North Branford and Police Employees of the Town of North Branford

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that BE IT HEREBY RESOLVED that the North Branford Town Council, based on the acceptance and approval by the Pension Committee, adopts and instructs the

Treasurer/Finance Director to publish the amended and restated Retirement Plans for those employees entitled to participate pursuant to the provisions of the plans effective July 1, 2000.

VOTE: Passed 7 to 0 with 2 abstentions in a roll call vote.

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

ABSTAIN: Mayor Doody, Councilor Ashley Joiner

13. NEW BUSINESS:

a. Discussion and Action Re: Possible Delay in Revaluation

Town Manager Kilduff reviewed with the Council his Memorandum dated June 15, 2004 including the time schedule for conducting revaluation on schedule and delaying it for one year.

Councilor Wentworth questioned if the implementation of the revaluation could be delayed to the next fiscal year.

Town Manager Kilduff confirmed that revaluation could be phased in.

MOTION: Councilor Lappie moved, seconded by Councilor Wentworth, that the Town Council of the Town of North Branford hereby resolves to conduct its next revaluation, as required by State Statute, with the October 1, 2005 Grand List.

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

b. Discussion and Action Re: Automation of Curbside Solid Waste Collection

Town Manager Kilduff reviewed his Memorandum dated June 30, 2004 regarding Background Information on Automated Refuse Collection.

There was discussion between Council members and the Town Manager with respect to this issue.

Town Manager Kilduff stated that the automated system is seen to be a more efficient way to collect waste and safer for the employees. He noted that John's Refuse would realize the benefits of any cost savings for this, not the Town of North Branford.

Councilor Esposito felt that this would be a more aesthetic way to collect trash. He concurred with the automated system as long as the trash hauler is willing to make it the preference of individual residents.

Deputy Mayor Candelora noted that there are positive and negative issues for the Town which need to be addressed and put in writing. He was very concerned with the issue of cost savings to the Town. He felt that if the Town implements the automated system at this time it will go beyond the scope of the three year contract. Issues which he foresees are the different sizes of the trash cans and how a resident could obtain a smaller can if desired, the pricing for additional trash cans, and what happens to the trash cans at the end of the three year contract with John's Refuse.

There was also discussion on a trial basis for the automated pick up in one area of the

Town.

Councilor Lappie requested an outline of the educational campaign that will be undertaken by John's Refuse.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council hereby authorizes the Town Manager to negotiate an automated service specifically addressing the concerns of the educational portion of it, the implementation and the termination and the ownership of the cans.

AMENDMENT: Deputy Mayor Candelora moved to amend, seconded by Councilor Esposito, that the North Branford Town Council authorizes the Town Manager to negotiate and implement a trial route for this automated service.

Town Manager Kilduff stated that public education is still be an issue even for a trial route. He will report back to the Council at the next meeting.

Deputy Mayor Candelora felt that if the automated system is to be implemented, it should be implemented 100%.

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

VOTE ON MAIN MOTION

AS AMENDED: Passed 9 to 0 in a roll call vote.

- c. Discussion and Action Re: Receipt of Draft Report from Charter Revision Commission

Town Manager Kilduff reviewed with the Council a draft time schedule in order to have any Charter revision on the November ballot.

There was considerable discussion on the timeframe for this between the Council and the Town Manager.

MOTION: Councilor Wentworth moved, seconded by Councilor Guertin, that the North Branford Town Council hereby schedules a public hearing on the report from the Charter Revision Commission for Monday, August 2, 2004 at 7:00 p.m.

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

- d. Discussion and Action Re: Approval of Appropriation Transfers

MOTION: Councilor Wentworth moved, seconded by Councilor Lappie, that the North Branford Town Council hereby approves the attached appropriation transfers (Attachment 4), as recommended by the Town Manager and the Treasurer/Finance Director.

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

g. Discussion and Action Re: Approval of Tax Refunds

MOTION: Councilor Wentworth moved, seconded by Councilor Guertin, that the North Branford Town Council hereby approves the attached property tax refunds (Attachment 5).

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

14. CITIZENS' STATEMENTS AND PETITIONS

Mayor Doody opened the meeting to citizens' statements and petitions.

Cliff Potter Re: Spoke on the appointment of Mr. Casey to the Board of Education. He questioned if during the Town Council meeting, when a specific topic is brought up, if citizens could be heard again as he felt that the citizens' voices are going unheard by the Council.

Town Attorney Gesmonde briefly addressed this issue.

Mr. Potter Re: Formally requested that the Town Council reconsider the appointment of Larry Casey to the Board of Education. He pointed out that no one spoke in favor of Mr. Casey during the meeting.

Marilyn Messner, 404 Village Street Re: Republicans versus Democrats. She felt that the Town Council should mix up their seats between the Republicans and the Democrats as they do on the Board of Education. She felt that the appointment of Mr. Casey to the Board of Education was the same as the voting down of the new middle school. She pointed out that Mr. Casey has not been attending Board of Education meetings. She also spoke on Mayor Doody's comments regarding the condition of the middle school. She requested that the Town make sure that there is cable television coverage of all meetings.

- Stephanie Bilkis, 1 Angela Court Re: Stated that she felt that Mr. Casey was a good candidate for the Board of Education. However, it was the issue of how it was handled by the Council that she disagrees with. She pointed out that the Democratic Committee spent a lot of time putting forth a candidate who would focus on what is important.
- Penny Seaman Re: Spoke on behalf of Mr. Casey. She stated that both candidates are qualified. She requested that everyone get behind Mr. Casey and help the Board of Education to move forward
- Sherman Gomberg Re: Concerts scheduled for Friday evenings. He thanked the Recreation Department and John behind camera for all of their work.
- Mr. Scelfo Re: Automated trash pickup. Did not feel there would be a cost savings to the Town and pointed out that it would cost the Town money to educate the public. He concurred with the option of allowing residents to decide whether or not to use the automated trash cans.

Deputy Mayor Candelora clarified that it is the responsibility of the trash hauler to educate the public. He also noted that the hauler is purchasing the trash cans at this time.

- Mrs. DelGiudice Re: Rejection of Mrs. Caplan's appointment to the Board of Education. She felt that Mrs. Caplan should have been given the opportunity to serve so that she could gain the experience which Mr. Casey has.

Mayor Doody commented on the walk through of the intermediate school. He stated that he viewed a school that was in good condition although he saw needed improvements and expansions. He also spoke on Mr. Casey who brings a wealth of knowledge and experience to the Board of Education.

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 8:30 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.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Wentworth, to return to open session at 8:48 p.m.

VOTE: Passed unanimously.

16. ADJOURNMENT

MOTION: Councilor Esposito moved, seconded by Councilor Guertin, to adjourn the meeting at 8:48 p.m.

VOTE: Passed unanimously.

Respectfully submitted,

Rosanne Krajewski,
Clerk to the Council