

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

Tuesday, August 9, 2005

Town Council Chambers

7:00 p.m.

1. ROLL CALL: Present were Mayor Michael Doody, Deputy Mayor Vincent Candelora, Council Members Mary Bigelow, Donald Fucci, David Hultgren, 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 an injury.

2. MINUTES OF PREVIOUS MEETING:
 - a. July 5 – Regular WPCA & Town Council Meeting

MOTION: Councilor Lappie moved, seconded by Councilor Bigelow, to accept the minutes of the July 5, 2005 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, Councilors Mary Bigelow, Donald Fucci, David Hultgren, Ashley Joiner, John Lappie and Joanne Wentworth

ABSTAIN: Deputy Mayor Candelora

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:

- a. Discussion and Action Re: Timetable for Sewer Works Operating and Capital Budget

Town Manager Kilduff reviewed with the Council a Memorandum dated August 1, 2005 regarding Timetable for Sewer Works Operating and Capital Budget.

The Council concurred with the timetable as submitted in the Memorandum.

- b. Discussion and Action Re: Setting Date for Public Hearing on Supplementary Sewer Assessments for Sections "A", "B", "C", and C4"

MOTION: Councilor Wentworth moved, seconded by Councilor Lappie, that the North Branford Water Pollution Control Authority will hereby hold a Public Hearing on Tuesday, September 6, 2005 at 7:30 p.m., at the North Branford Town Hall for the purpose of receiving public input regarding sewer assessments for Section "A", "B", "C", and "C4" of the Town of North Branford's sanitary sewer system.

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

- c. Discussion and Action Re: Motion Authorizing and Directing the Town Manager to Execute an Operations and Maintenance Contract with Veolia Water North America for the North Branford Sanitary Sewer System

Town Manager Kilduff reviewed with the Council a change in companies for the maintenance of the Town's sanitary sewer system. He indicated that Request for Proposals were issued and that Veolia Water North America offers good pricing and meets the needs of the Town. He also noted that they operate the North Haven sanitary sewer system. The Town Manager confirmed that the contract has been reviewed by the Town Attorney's office.

MOTION: Councilor Wentworth moved, seconded by Councilor Joiner, that the Water Pollution Control Authority of the Town of North Branford hereby authorizes and directs the Town Manager to execute an Operation and Maintenance Contract with Veolia Water North America for a term of three (3) years in accordance with a Request for Proposals seeking a vendor to perform operation and maintenance services for the North Branford Sanitary Sewer System.

Deputy Mayor Candelora questioned the scope of services that will be performed.

Town Manager Kilduff briefly reviewed this and confirmed that it is the same scope of work that OMI did. He also indicated that Veolia could do capital repairs or may be contracted out.

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

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. Regional Growth Partnership

Town Manager Kilduff reported on the July 6th Regional Growth Partnership meeting. There was a general overview of what had transpired over the last fiscal year and discussion of regional legislation issues that did not pass the legislature. There was also discussion with respect to an ongoing economic development presentation to the Board of Alderman in New Haven.

The Council was in receipt of a letter regarding the Economic Development Data and Information (EDDI) program, an online database for all towns in Connecticut for site selection. The Town Manager noted that RGP would pay for first year of membership for this.

b. Hazardous Waste/Recycling Committee

Councilor Bigelow reported that the Committee discussed a satellite day, possibly in two years. There was also discussion on a welcome kit for new residents and how the committee can educate residents on the MS4 water management program. The Committee reviewed the results of the sneaker collection and discussed the manpower needed for Hometown Day at HazWaste Central. Councilor Bigelow indicated that they also discussed North Branford Recycles Day to be held later this year.

MOTION: Councilor Bigelow moved, seconded by Deputy Mayor Candelora, to amend the Town Council Agenda to add on under 13. New Business, item I. Discussion and Action Re: North Branford Public Cable Access Group versus Cable Advisory Council of South Central Connecticut.

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

c. South Central Regional Council of Governments

Town Manager Kilduff reported on the July 27th meeting of COG. He distributed to Council members the "South Central Quarterly", a reintroduction of its newsletter. He indicated that new staff was introduced by the Executive Director.

The Town Manager reported that the results of a Regional Transit Development Strategy were reviewed, and the Town Manager distributed to Council members the Short-Term High Priority Sheets with respect to this. He indicated that the Ride Request program was endorsed by COG, which could provide greater bus service to North Branford. Upon questioning, the Town Manager briefly reviewed the Ride Request program.

d. Economic Development Commission

Town Manager Kilduff reported on the August 1st meeting at which a representative from the Department of Economic and Community Development was present to give an overview of the State's offerings and what the State is doing with respect to business visitations. There was also an update given on the Regional Growth Partnership and the Route 80 study that RGP is doing.

The Town Manager also noted that an educational component has been added to the Agenda and will be presented at each meeting.

8. TOWN MANAGER'S REPORT

Town Manager Kilduff presented and reviewed with the Council his Memorandum dated August 3, 2005 (Attachment 1).

The Town Manager noted that the Council was in receipt of a Memo from CERC dated July 26, 2005 regarding the Economic Development Work Program for 2005-2006.

Town Manager Kilduff also advised that the CCM convention is to be held in Hartford on October 18th. He indicated that the budget allows for three participants, and he requested that information as soon as possible.

9. COMMUNITY EVENTS AND PRESENTATIONS

Councilor Wentworth indicated that the Baked Potato and Roasted Corn Festival will be held this Saturday, August 13th, at 4:00 p.m. at Totoket Valley Park. The Recreation Department is sponsoring this.

10. CITIZENS' STATEMENTS AND PETITIONS AND CORRESPONDENCE

a. Letter of Thanks to the Town Council from the Library Board

The Council was in receipt of a letter dated July 7, 2005 from the North Branford Library Board thanking it for moving forward with expanded library services.

Mayor Doody opened the meeting to citizens' statements. There were no citizens' statements or petitions at this time.

Mayor Doody was in receipt of the following correspondence:

- | | |
|--------------------------------|---|
| Regional Growth Partnership | Re: Connecticut Economic Resource Center's new endeavor, Economic Development Data and Information (EDDI) |
| Eagle Environmental, Inc. | Re: Asbestos and Lead Consulting Services |
| Conn. Transportation Institute | Re: Supervisory Skills Workshop on August 9 & 10 |

- Technology Transfer Center
Conn. Conference of Municipalities Re: Municipal Management Bulletin; Environmental Management Bulletin
- Regional Mental Health Board Re: 2005-2006 Donation
- Connecticut General Assembly Re: Eminent Domain case
- Greater New Haven/Connecticut Convention & Visitors Bureau Re: Passport to Family Fun
- Greater New Haven Chamber of Commerce Re: 6th Annual Southern Connecticut Business Expo
- New Haven Association of Realtors Re: Workshop entitled “Smart Growth: Is It Practical for Connecticut?” scheduled for September 16, 2005
- Gateway Community College Re: Request for representative for committee on campus consolidation plan

Councilor Wentworth volunteered to sit on the oversight committee for Gateway Community College.

11. RESIGNATIONS AND APPOINTMENTS

- a. Resignation from Hazardous Waste/Recycling Committee

The Council was in receipt of a letter dated July 19, 2005 from Patti Darragh resigning from the Hazardous Waste/Recycling Committee as of August 1, 2005.

MOTION: Councilor Bigelow moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby appoints Eric Johnson to the Hazardous Waste/Recycling Committee for a term to expire December 31, 2006.

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

12. UNFINISHED BUSINESS: None.

13. NEW BUSINESS:

- a. Discussion and Action Re: Resolution Authorizing and Directing the Town Manager to Execute a Sales Agreement on Behalf of the Town to Acquire ±102 Acres from the Donald Augur Estate for \$4,750,000

Town Manager Kilduff reported that all issues have been resolved and that a Sales Agreement will be drafted by the Town Attorney with respect to this.

The Council requested to see the Sales Agreement prior to its final execution.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Joiner, that the North Branford Town Council hereby authorizes and directs the Town Manager to execute a Sales Agreement for ± 102 acres of the Donald Augur Estate located between Forest and Totoket Roads for a sum not to exceed \$4,750,000.00 on behalf of the Town of North Branford, contingent upon the Town Council's final review of the Sales Agreement. The Town Manager is further authorized and directed to execute any additional documents related to the Sales Agreement.

There was discussion between the Council and the Town Manager on the acreage to be conveyed. The Council again reiterated that it would like to review the Sales Agreement prior to its execution by the Town Manager.

Town Attorney Gesmonde stated that the motion was to authorize the Town Manager to execute the Sales Agreement. He suggested that the Council have the Town Attorney draft the Sales Agreement first and bring it back to the Town Council prior to authorizing the Town Manager to sign the agreement.

WITHDRAWAL: Deputy Mayor Candelora withdrew his motion, and Councilor Joiner withdrew her second.

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Joiner, that the North Branford Town Council hereby authorizes and directs the Town Manager to draft a Sales Agreement for ± 102 acres of the Donald Augur Estate located between Forest and Totoket Roads for a sum not to exceed \$4,750,000.00 on behalf of the Town of North Branford.

Councilor Bigelow requested that the Council look for other sources to fund this purchase without having to raise the mill rate. She also requested a discussion by the Council on how this land will be used. She suggested a workshop meeting of the Council to discuss these two issues.

Town Manager Kilduff briefly reviewed this, noting that there is no State grant program at the present time and that Rosa DeLauro's efforts have failed. He spoke on the Regional Water Authority conservation easement as a possibility.

The Council agreed to hold a workshop meeting on this issue on Tuesday, August 16, 2005.

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

- b. Discussion and Action Re: Funding Request from North Branford Congregational Church

The Council was in receipt of a letter dated July 18, 2005 from Janet S. Gregan, North Branford Congregational Church Historian.

The Council requested the Town Manager write a letter to the North Branford Congregational Church graciously denying their request.

- c. Discussion and Action Re: Resolution Authorizing and Directing the Town Manager to Execute a Cost Sharing Agreement with the State of Connecticut for Emergency Pre-emption Equipment at the Intersection of Route 80 and Route 22 (Forest Road)

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby approves the attached Resolution Authorizing and Directing the Town Manager to Execute a Cost Sharing Agreement with the State of Connecticut for Emergency Pre-emption Equipment at the Intersection of Route 80 and Route 22 (Forest Road) (Attachment 2).

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

- d. Discussion and Action Re: Adoption of Revised Job Description - Building Official

MOTION: Councilor Wentworth moved, seconded by Deputy Mayor Candelora, that in accordance with Section C9-2 of the North Branford Town Charter, the Town Council of the Town of North Branford hereby adopts the revised job description for the position of Building Official, as recommended by the Town Manager (Attachment 3).

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

- e. Discussion and Action Re: Funding for the FY 2005-06 Capital Improvement Plan

MOTION: Councilor Lappie moved, seconded by Councilor Bigelow, that BE IT HEREBY RESOLVED that the North Branford Town Council instructs the Treasurer/Finance Director to transfer the amounts listed in the attached table (Attachment 4) to fund 450, 2005-06 Capital Improvements Program, pursuant to the adopted 2005-06 budget. Further, the Town Council instructs the Treasurer/Finance Director to close fund 441, 1998-99 Capital Improvements Program and transfer the remaining de minimis balance (after the above reference transfer) to the General Fund as miscellaneous revenue.

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

- f. Discussion and Action Re: Approval of Lease/Purchase Agreement
 - i. Lease/Purchase of Two (2) Replacement Ambulances

MOTION: Councilor Lappie moved, seconded by Councilor Bigelow, that BE IT HEREBY RESOLVED that the North Branford Town Council, based on the recommendation of the Board of Fire Commissioners, authorizes the Town Manager to enter into a

contract with American Emergency Vehicles (AEV) to acquire two 2006 Type I ambulances on Chevrolet C-4500 cab & chassis, pursuant to Bid #3 2005/06 at a total cost of roughly \$264,000 and further instructs the Treasurer/Finance Director to include the \$264,000 in the list of lease purchase items being assembled for Town Council action later in the agenda.

Fire Chief William Seward was present to discuss this issue with the Council. He reviewed the ages of the two existing vehicles and felt that these could pose liability problems. He noted that the two new vehicles would be upgraded in style and offer better reliability.

Councilor Lappie questioned the feasibility of keeping one vehicle in service and purchasing only one new vehicle at this time.

Fire Chief Seward responded to this, indicating that they will be alternating the vehicles and each vehicle will be identical to the other.

Deputy Mayor Candelora questioned why this was not included in the Capital Improvements Plan. Treasurer/Finance Director Anthony Esposito indicated that these had been scheduled for purchase but the purchase was delayed due to the manpower issue that arose previously. Now that that issue has been resolved they are ready to purchase the vehicles.

Town Manager Kilduff reviewed the two types of payment plans, "A" and "B".

Upon questioning, Fire Chief Seward spoke on the uses for the two older vehicles.

Treasurer/Finance Director Esposito confirmed that the money is available for the first \$160,000 payment.

AMENDMENT TO MOTION: Councilor Lappie amended his motion, and Councilor Wentworth amended her second, to include that this would be for payment schedule marked "B".

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

- ii. Resolution Authorizing and Directing the Town Manager to Execute a Master Lease Purchase Agreement with Banc of America Leasing & Capital, LLC with an interest rate of 3.19%

MOTION: Councilor Wentworth moved, seconded by Deputy Mayor Candelora, that BE IT HEREBY RESOLVED that the North Branford Town Council agrees with the terms and conditions of the Master Lease Purchase Financing Proposal included with this agenda item and authorizes Karl F. Kilduff, Town Manager to sign the necessary paperwork to enter into a Master Lease Purchase with Banc of America Leasing & Capital, LLC to acquire the four items listed above, based on a 4 year advance funding interest rate of 3.19% per annum, as quoted in the Master Lease Purchase Financing Proposal. This approval is contingent on the Town Attorney's office review and consent.

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

- g. Discussion and Action Re: Appropriation Transfers

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council hereby approves the attached appropriation transfers (Attachment 5), as recommended by the Town Manager and the Treasurer/Finance Director.

Councilor Joiner had a question with respect to the transfer from the Building Inspector to the Town Attorney for books and publications.

Treasurer/Finance Director Esposito stated that these are shipped directly to the Town Attorney's Office and the bills are then sent to the Finance Department.

Town Attorney Gesmonde noted that these were for supplements for existing materials as materials relating to such issues as planning and zoning are updated yearly. He stated that to his knowledge there was no purchase of new publications.

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

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

ABSTAIN: Councilor Joiner

- h. Discussion and Action Re: Appropriation Transfer of \$28,000 from Board of Education Operating Budget to Town Capital Improvement Budget for Bleacher Repair

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Wentworth to table Discussion and Action Re: Appropriation Transfer of \$28,000 from Board of Education Operating Budget to Town Capital Improvement Budget for Bleacher Repair until the Council receives further information from the Board of Education.

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

Town Manager Kilduff noted that he received faxed information today.

The Council requested all back up information on this as well as that someone be present from Central Office and the Board of Education to address this issue with the Council.

- i. Discussion and Action Re: Appropriation from Contingency

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Bigelow, that the Town Manager is hereby authorized to appropriate from reserve for contingency, Account #4703-760-0000, and transfer into the appropriate accounts, as soon as possible, for

the attached purposes (Attachment 6).

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

- j. Discussion and Action Re: Abatement of Taxes from the Town of North Branford for 14 Olsen Road

MOTION: Councilor Lappie moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby grants abatement of taxes from the Town of North Branford for 14 Olsen Road.

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

- k. Discussion and Action Re: Tax Refunds

MOTION: Deputy Mayor Candelora moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby approves the attached property tax refunds (Attachment 7).

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

- l. Discussion and Action Re: North Branford Public Cable Access Group versus Cable Advisory Council of South Central Connecticut

Councilor Bigelow reported on an ongoing dispute between these two agencies. She spoke on an incident that occurred at the North Branford Public Cable Access Group's Annual Meeting where the Chairperson of the Advisory Council was present and accused the Cable Access Group of an illegal election. Councilor Bigelow indicated that North Branford has some new members on its Board and it is working its way through some issues. She reported that they have met with Comcast who concurs with the direction that the group is taking.

Councilor Bigelow requested that a letter be sent from the Town Council indicating that the Town of North Branford supports the efforts of the Cable Access Group and requests that there be no interference from the Cable Advisory Council.

Deputy Mayor Candelora also addressed this issue. He felt that the officer of the Cable Advisory Council was acting outside of her regular duties and questioned what their jurisdiction is over North Branford. He outlined what he felt should be in a letter to the Cable Advisory Council.

Council members requested that a draft of this letter be reviewed by the Council prior to forwarding it to the Cable Advisory Council. It was requested that this be placed on a Special Meeting Agenda for August 16, 2005.

There was further discussion on this between Council members.

14. CITIZENS' STATEMENTS AND PETITIONS

Mayor Doody opened the meeting to citizens' statements and petitions. There were no citizens' statements or petitions at this time.

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 8:10 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 Attorney.

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

MOTION: Councilor Lappie moved, seconded by Councilor Wentworth, to return to open session at 8:25 p.m.

VOTE: Passed unanimously.

16. ADJOURNMENT

MOTION: Councilor Lappie moved, seconded by Councilor Joiner, to adjourn the meeting at 8:25 p.m.

VOTE: Passed unanimously.

Respectfully submitted,

Rosanne Krajewski,
Clerk to the Council