

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

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**Tuesday, September 20, 2005**

**Town Council Chambers**

**7:01 p.m.**

1. ROLL CALL: Present were Mayor Michael Doody, Council Members Mary Bigelow, Donald Fucci, David Hultgren, Ashley Joiner, John Lappie and Joanne Wentworth. Also present was Town Manager Karl Kilduff.

Town Attorney John Gesmonde arrived at 7:30 p.m.

Deputy Mayor Vincent Candelora arrived at 7:35 p.m.

Council Member Andrew Esposito was absent due to a death in the family.

2. MINUTES OF PREVIOUS MEETING:
  - a. September 6 – Regular WPCA & Town Council Meeting

MOTION: Councilor Joiner moved, seconded by Councilor Bigelow, to accept the minutes of the September 6, 2005 Regular Water Pollution Control Authority and Town Council Meeting as presented.

VOTE: Passed 7 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.

**REGULAR TOWN COUNCIL AGENDA**

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

## a. Hazardous Waste/Recycling Committee

Councilor Bigelow reported that the Committee is going ahead with the Welcome Kit for new residents and that the Electronics Collection has been scheduled for October 29<sup>th</sup> from 9:00 a.m. to 12 p.m. in Wallingford.

## b. Economic Development Commission

Town Manager Kilduff reported on the September 12<sup>th</sup> meeting of the Economic Development Commission. They continue to discuss and develop goals and direction for the Commission. The Commission has also requested quarterly reports on business interviews. They are looking for a response from the Planning and Zoning Commission on the rewriting of the Industrial Zone regulations which was previously forwarded to them.

## c. Regional Growth Partnership

Town Manager Kilduff reported on the September 7<sup>th</sup> meeting of the RGP where a revised committee structure was discussed in order to help the RGP take on a larger role in economic development within the region.

## d. Farm Ordinance Study Committee

Councilor Wentworth reported that the Town has still not had any clarification from the State on this. The Committee will be contacting Senator Meyer and Representative Ward to request that they work together to introduce and track the amendment so that a clarification can be received.

## 8. TOWN MANAGER'S REPORT

Town Manager Kilduff presented and reviewed with the Council his Memorandum dated September 15, 2005 (Attachment 1). He highlighted the discussions with the Regional Water Authority on the conservation easement for the Augur property, the architect selection for the library project, and the architect and RFQ for the intermediate school project.

The Town Manager also noted that Council members were in receipt of a letter of resignation, which has been distributed to all Council members.

## 9. COMMUNITY EVENTS AND PRESENTATIONS

Councilor Bigelow indicated that the Little Red Schoolhouse will be having a 200<sup>th</sup> Birthday Celebration on Sunday, October 1<sup>st</sup>, from 12:00 p.m. to 4:00 p.m.

10. CITIZENS' STATEMENTS AND PETITIONS AND CORRESPONDENCE

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

David Barber  
35 Sunnyside Drive

Re: Vendor Permit. He stated that he attended the Parks and Recreation Commission meeting last evening and the Commission has referred this back to the Town Attorney. He indicated that the Commission did not feel that it was bound by the State statute exempting veterans from fees. He questioned what will be done now.

Town Manager Kilduff responded to Mr. Barber's comments and indicated that he had spoken with the Recreation Director who has contacted the Town Attorney for direction with respect to the State statute.

Craig Kreller, North Branford  
Federation of Teachers

Re: Opposed to the renewal of the Superintendent's contract at the last Board of Education meeting. He had a copy of the minutes from the Board of Education meeting and noted that this item had not been included on the Agenda. He requested that the renewal of the Superintendent's contract be null and voided. He stated that they will continue to pursue and investigate this.

Lisa Gagliardi

Re: Upcoming election. On behalf of the community at large, she requested that a forum with all candidates be held to address residents' questions and concerns and to state the candidates' platforms. She suggested that this could be featured live on cable access for all residents to see. She also felt that this type of forum is vital to the betterment of the community.

Mayor Doody was in receipt of the following correspondence:

CRRA

Re: Additional recyclables that will be allowed.

11. RESIGNATIONS AND APPOINTMENTS

a. Resignation from Hazardous Waste/Recycling Committee

The Council was in receipt of a letter dated June 27, 2005 from Margaret Hrabchak of the Hazardous Waste/Recycling Committee informing the Commission that her term expires in December of 2005 and she will not be seeking reappointment.

- b. Appointment of Regular Member and Alternate Member to Library Exchange Aids Patrons (LEAP)

Town Manager Kilduff briefly reviewed the reappointment of Library Director Robert Hull and Librarian Paulette Carrano to the State" LEAP program.

**MOTION:** Councilor Lappie moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby reappoints Library Director Robert Hull as a regular member to the Library Exchange Aids Patrons (LEAP) and Librarian Paulette Carrano as an alternate member to the Library Exchange Aids Patrons (LEAP) for two year terms to expire June 30, 2007.

**VOTE:** Passed 7 to 0 in a roll call vote.

**MOTION:** Councilor Bigelow moved, seconded by Councilor Joiner, that the North Branford Town Council hereby appoints William Bergers to the Ethics Commission for a Three year term to expire December 31, 2008.

**VOTE:** Passed 7 to 0 in a roll call vote.

**MOTION:** Councilor Lappie moved, seconded by Councilor Wentworth, that the North Branford Town Council hereby reappoints Mary Ann Augur to the North Branford Housing Authority for a term to expire June 30, 2008.

**VOTE:** Passed 7 to 0 in a roll call vote.

Councilor Lappie requested that the appointment of Delcy Newell to the Housing Authority be followed up with as she has not been sworn in or attended a Housing Authority meeting yet.

12. **UNFINISHED BUSINESS:** None.

13. **NEW BUSINESS:**

- a. Discussion and Action Re: Schedule Public Hearing for Improvements to White Hollow Road Bridge

Town Engineer Kurt Weiss reviewed with the Council his Memorandum dated September 13, 2005. He confirmed that the funding for this has been approved in the current budget and that one-third of the funding will be coming from the Connecticut Local Bridge program. He spoke on the possible delay due to the need for DEP and Army Corps of Engineer approval but indicated that the Council could schedule a public hearing on this.

**MOTION:** Councilor Lappie moved, seconded by Councilor Joiner, that the North Branford Town Council hereby schedules a public hearing for Tuesday, October 18, 2005 at 7:30 p.m. at the North Branford Town Hall, 909 Foxon Road, on improvements to the White Hollow Road Bridge.

**VOTE:** Passed 7 to 0 in a roll call vote.

- b. Discussion and Action Re: Resolution Appropriating \$4,925,000 for Land Acquisition in the Town of North Branford and Authorizing the Issuance of \$4,925,000 Bonds of the Town to Meet Said Appropriating and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

**MOTION:** Councilor Wentworth moved, seconded by Councilor Lappie, that the North Branford Town Council hereby approves the attached Resolution Appropriating \$4,925,000 for Land Acquisition in the Town of North Branford and Authorizing the Issuance of \$4,925,000 Bonds of the Town to Meet Said Appropriating and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose (Attachment 2).

Councilor Joiner questioned the impact the Regional Water Authority conservation easement would have on this.

Town Manager Kilduff briefly spoke on the time frame for this. He noted that the conservation easement could reduce the principal amount of borrowing if a decision on the conservation easement was made prior to the closing on the property in November.

There was a brief discussion on the actual savings to the Town with the conservation easement.

**VOTE:** Passed 5 to 2 in a roll call vote.

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

**OPPOSED:** Councilors Mary Bigelow and Ashley Joiner

- c. Discussion and Action Re: Resolution Appropriating \$3,800,000 for Architectural and Engineering Services for the Planning and Design of Renovations and Additions at North Branford Intermediate School in the Town of North Branford and Authorizing the Issuance of \$3,800,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

**MOTION:** Councilor Wentworth moved, seconded by Councilor Bigelow, that the North Branford Town Council hereby approves the attached Resolution Appropriating \$3,800,000 for Architectural and Engineering Services for the Planning and Design of Renovations and Additions at North Branford Intermediate School in the Town of North Branford and Authorizing the Issuance of \$3,800,000 Bonds of the Town to

Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose (Attachment 3).

Upon questioning, Town Manager Kilduff confirmed that these estimates cover the completion of the project.

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

Town Attorney Gesmonde arrived at 7:29 p.m.

- d. Discussion and Action Re: Ratification of Collective Bargaining Agreement with American Federation of State, County and Municipal Employees, Local 1303-155 - Clerical and Technical Employees

MOTION: Councilor Lappie moved, seconded by Councilor Bigelow, that the Town Council of the Town of North Branford hereby ratifies the negotiated collective bargaining agreement between the Town of North Branford and the American Federation of State, County and Municipal Employees, Local 1303-155 - Clerical and Technical Employees.

VOTE: Passed 6 to 0 with 1 abstention in a roll call vote.

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

ABSTAIN: Councilor Donald Fucci

**WATER POLLUTION CONTROL AUTHORITY AGENDA**

**7:30 PM Public Hearing on FY 2005-06 Sewer Operating Budget, Capital Budget and User Fee**

Mayor Doody opened the public hearing at 7:30 p.m. and read the Notice of Public Hearing into the record (Attachment 4).

Town Manager Kilduff indicated that the Finance Subcommittee reviewed the Sewer Operating Budget and Capital Budget. He confirmed that there was no increase in the sewer user fee which would remain the same as last year at \$250 per unit.

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

Mayor Doody closed the public hearing at 7:33 p.m.

**5. NEW BUSINESS:**

- a. Discussion and Action Re: FY 2005-06 Sewer Operating Budget, Capital Budget and User Fee
  - i. Adoption of Operating Budget and Setting User Fee

**MOTION:** Councilor Wentworth moved, seconded by Councilor Hultgren, that be it resolved that the North Branford Water Pollution Control Authority, acting in its capacity as the Sewer Authority for the Town of North Branford, hereby adopts the attached sewer budget (Attachment 5) and establishes a sewer user fee of \$250 per unit for the 2005-2006 fiscal year.

**VOTE:** Passed 7 to 0 in a roll call vote.

ii. Adoption of Capital Budget

**MOTION:** Councilor Wentworth moved, seconded by Councilor Bigelow, that be it resolved that the North Branford Water Pollution Control Authority, acting in its capacity as the Sewer Authority for the Town of North Branford, hereby adopts the attached sewer Capital budget for the 2005-2006 fiscal year (Attachment 6).

**VOTE:** Passed 7 to 0 in a roll call vote.

**6. CORRESPONDENCE/CITIZENS' STATEMENTS**

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

Deputy Mayor Candelora arrived at 7:35 p.m.

**REGULAR TOWN COUNCIL AGENDA**

**13. NEW BUSINESS**

e. Discussion and Action Re: Ratification of Collective Bargaining Amendments to Retirement Plan for Employees of the Town of North Branford

**MOTION:** Councilor Joiner moved, seconded by Councilor Lappie, that the Town Council of the Town of North Branford hereby ratifies the terms and conditions, as proposed, toward a re-negotiated Retirement Plan for the Employees of the Town of North Branford and amends and restates accordingly the Retirement Plan for the Employees of the Town of North Branford, dated July 1, 2000.

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

**FOR:** Mayor Doody, Deputy Mayor Candelora, Councilors Mary Bigelow, David Hultgren,

Ashley Joiner, John Lappie and Joanne Wentworth

**ABSTAIN:** Councilor Donald Fucci

- f. Discussion and Action Re: Possible Ordinance Amending Notice Provisions in Chapter 159, Historic Properties, of the Codified Ordinance of the Town of North Branford

The Council was in receipt of and reviewed the proposed changes to the notice provisions for the demolition of historic properties.

Deputy Mayor Candelora reported that this had been reviewed by the Finance Subcommittee which is recommending this change as it was felt that it would eliminate any delay in receipt of notification.

**MOTION:** Deputy Mayor Candelora moved, seconded by Councilor Lappie, that the North Branford Town Council hereby schedules a public hearing for Tuesday, October 18, 2005 at 7:45 p.m. at the North Branford Town Hall, 909 Foxon Road, regarding Possible Ordinance Amending Notice Provisions in Chapter 159, Historic Properties, of the Codified Ordinance of the Town of North Branford.

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

- g. Discussion and Action Re: Financial Report - August 2005

Treasurer/Finance Director Anthony Esposito reported to the Council that the Financial Report for August 2005 was unremarkable.

- h. Discussion and Action Re: Appropriation from Contingency

Town Manager Kilduff reviewed the request from Contingency which is for the first phase of the library project.

**MOTION:** Councilor Wentworth 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 account, as soon as possible, for the attached purpose (Attachment 7).

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

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

**MOTION:** Councilor Lappie moved, seconded by Deputy Mayor Candelora, that the North Branford Town Council hereby approves the attached property tax refunds (Attachment 8).

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

14. CITIZENS' STATEMENTS AND PETITIONS

Mayor Doody questioned the vagueness of the Board of Education Agenda and whether or not it is a legal Agenda. He indicated that the Superintendent of Schools contract was discussed under the heading "Negotiations" with no other details under that heading.

Town Attorney Gesmonde addressed this issue. He stated that the term "negotiations" is usually not on an Agenda as it regards personnel and is usually held at a non-meeting. He indicated that as long as the Superintendent's contract was renewed in a public meeting he did not see any problems with this. He suggested that the public make known its concerns to the Board of Education. He did not feel that the Agenda item was enough of a circumstance to nullify the Board of Education's actions.

There was some further discussion on this between Mayor Doody and the Town Attorney.

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

Craig Kreller, North Branford  
Superintendent's  
Federation of Teachers

Re: With respect to the renewal of the  
contract, he did not feel that the public was given the  
opportunity to comment.

15. ADJOURNMENT

MOTION: Councilor Lappie moved, seconded by Deputy Mayor Candelora, to adjourn the meeting at 7:48 p.m.

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

Respectfully submitted,

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Rosanne Krajewski,  
Clerk to the Council