

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

---

**Tuesday, November 12, 2002**

**Town Council Chambers  
7:05 p.m.**

**SALUTE TO THE FLAG**

1. ROLL CALL: Present were Mayor Joanne Wentworth, Deputy Mayor George Guertin, Council Members Mary Bigelow, Michael Downes, Andrew Esposito, and Paul Proto. Also present were Town Manager Karl Kilduff and Town Attorney John Gesmonde.

Council Member Vincent Candelora arrived at 8:40 p.m.  
Council Member Joan Fitch was absent as she was away.  
Council Member Jack Krasko was absent.

2. MINUTES OF PREVIOUS MEETING:
  - a. October 15, 2002 - Regular WPCA & Town Council Meeting

MOTION: Councilor Proto moved, seconded by Councilor Bigelow, to accept the minutes of the October 15, 2002 Regular Water Pollution Control Authority and Town Council Meeting as presented.

VOTE: Passed 5 to 0 with 1 abstention in a roll call vote.

FOR: Mayor Wentworth, Deputy Mayor Guertin, Councilors Mary Bigelow, Andrew Esposito, and Paul Proto

ABSTAIN: Councilor Michael Downes

**WATER POLLUTION CONTROL AUTHORITY AGENDA**

3. CORRESPONDENCE/CITIZENS' STATEMENTS

There were no correspondence or citizens' statement 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. Board of Education Financial Report - As of November 1, 2002

The Council was in receipt of the Board of Education Financial Report as of November 1, 2002 (Attachment 1).

- b. Permanent Project Building Committee

Town Manager Kilduff reported that there was not a quorum at the last meeting of the Permanent Project Building Committee and no action was taken. The next meeting is scheduled for Monday, November 18<sup>th</sup>.

- c. Charter Revision Commission

Town Manager Kilduff reported that the Charter Revision Commission held its first meeting. The first public hearing is scheduled for November 14<sup>th</sup> at 7:00 p.m. He noted that the Commission has set a meeting schedule through February in order to have a ballot question ready for November.

- d. Finance Sub-committee

Town Manager Kilduff reported that the Finance Subcommittee met on October 23<sup>rd</sup> and discussed an additional veterans exemption. This has been referred to the Town Attorney for review. He also noted that the subcommittee discussed the disposal of a recently acquired property from a tax foreclosure. The subcommittee discussed the use of funds from the sale of a portion of the former Cinque property and the need to reapply these funds toward economic development.

- e. Economic Development Commission

Town Manager Kilduff reported that the Economic Development Commission continues work on the 4<sup>th</sup> Annual North Branford Business Expo. The Commission was briefed on the status of the Economic Development Strategy. The Town Manager advised the Council that a survey will be sent out soon to all local businesses with respect to this. The Planning and Zoning Commission is expected to provide some input in November.

## 8. TOWN MANAGER'S REPORT

Town Manager Kilduff reviewed with the Council his Memorandum dated November 7, 2002 (Attachment 2).

The Town Manager reviewed a letter received from the State Department of Transportation on the Route 17 Pistapaug Brook reconstruction. He noted that this is scheduled for the Spring of 2005 and the DOT will come to a future Council meeting in order to review these plans.

Town Manager Kilduff distributed to the Council for review a letter to Islander East along with a proposed Facility Use Agreement for access to municipally owned property. He briefly reviewed the stipulations with the Council and confirmed that Islander East is moving forward with these surveys.

Town Attorney Gesmonde requested an Executive Session regarding Pending Litigation.

**MOTION:** Councilor Downes moved, seconded by Councilor Proto, to amend the Town Council Agenda to add on an Executive Session regarding Pending Litigation.

**VOTE:** Passed 6 to 0 in a roll call vote.

## 9. COMMUNITY EVENTS AND PRESENTATIONS

### a. Presentation of Special Board of Education Audit

Alfred Bertoline and Kevin Tobias from Disanto Bertoline & Co. were present to review the special audit of the Board of Education with the Council.

Mr. Bertoline reviewed the procedures and scope of work performed. He addressed the findings, noting that the documented policies and procedures are inadequate, are several years old and do not reflect current policies. He stated that the personnel appear to be professional and competent but that their actions are sometimes in conflict with documented policies and they often must make their own decisions when there are no policies. Mr. Bertoline stated that they found no improprieties or wrongdoing but noted that the Board of Education, its employees and students are at risk due to the lack of clear policies and procedures.

Mr. Tobias highlighted the specific findings. He spoke on conflict of interest and pointed out that there is no documented policy at the Board of Education level although there is a policy on conflict of interest contained in the Town Charter. He stated that they found no conflicts of interest in their review. The second area which they found lacking is the solicitation of quotations. He briefly reviewed the bid process which the Board of Education follows. The third area of concern is personnel responsibilities, particularly with respect to purchasing procedures. With respect to the hiring of personnel, Mr. Tobias noted that there is no written policy or procedure with respect to certain hirings. The fifth area which Mr. Tobias highlighted is financial reporting. He indicated that reports are not submitted to the Board of Education on a timely basis. He briefly reviewed the existing policy with respect to this. He also noted areas of concern with respect to transfers within the budget as well as training of employees.

Mr. Tobias then reviewed with the Council the recommendations which address the findings as they exist today. He spoke on the need to update policies and procedures, the need to

develop a program for the periodic training of employees, the need to develop a way to monitor the adherence to policies and procedures, and enhance the financial reporting in order to meet Board of Education requirements.

Mayor Wentworth questioned if other Boards of Education experience similar types of problems. Mr. Bertoline noted that most do not, but that some do. Mayor Wentworth questioned how the recommendations would be implemented by the Board.

Superintendent of Schools Dr. Robert Wolfe was present and briefly addressed this report. He felt that there was no clear data or backup by the audit company in reaching these conclusions. However, he acknowledged that some of the policies date back to the 1980s and are outdated. He noted that the Board has been updating the policies, first working on policies that deal with students and then personnel. He noted that this is a two to three year process.

There was some discussion between the Council and Dr. Wolfe on the Policy Committee for the Board of Education and the updating of policies.

Dr. Wolfe indicated that the Board of Education has not yet seen this report. He will come back to the Council after bringing this report to the Board of Education.

#### 10. CITIZENS' STATEMENTS AND PETITIONS AND CORRESPONDENCE

Dr. Wolfe reported that the auditorium seats are in and the carpeting is also being installed. They are still anticipating a December opening with the high school's Holiday Concert.

Councilor Bigelow advised that the Holiday Celebration is scheduled for December 7<sup>th</sup>. She questioned the status of the police officer for this event. Town Manager Kilduff confirmed that that is an appropriation from contingency and will be included on the next Council Agenda.

Dr. Wolfe also reported that the track committee will be going out to bid after the new year. It is anticipated that the construction of the track will begin after Memorial Day and will take 10 to 12 weeks to complete. The track should be ready for the opening of school in the fall.

#### 11. RESIGNATIONS AND APPOINTMENTS

- a. Appointment of Board of Fire Commissioner's Alternate to Pension Committee

**MOTION:** Councilor Downes moved, seconded by Councilor Esposito, that the North Branford Town Council hereby appoints Donald LaBanca as an alternate from the Board of Fire Commissioners to the Pension Committee.

**VOTE:** Passed 6 to 0 in a roll call vote

- b. Other Appointments

There were no other appointments at this time.

#### 12. UNFINISHED BUSINESS

- a. Discussion and Action Re: New Haven Area Special Hazards Team

Town Manager Kilduff reported to the Council on his discussions with the Town's insurance company on the indemnification language contained in the proposed By-laws for the New Haven Area Special Hazards Team. The insurance company has indicated that the language is usual and standard for local government agreements.

Mayor Wentworth indicated that Fire Chief Ralph Thomas was in favor of this Mutual Aid Agreement.

**MOTION:** Councilor Bigelow moved, seconded by Councilor Proto, that the North Branford Town Council hereby ratifies the New Haven Area Special Hazards Team By-Laws and Mutual Aid Agreement Draft July 25, 2002 as attached (Attachment 3).

**VOTE:** Passed 6 to 0 in a roll call vote.

- b. Discussion and Action Re: Cost Sharing Agreement with Department of Transportation for Traffic Lights

Town Manager Kilduff briefly reported on the need for a cost sharing agreement with the State Department of Transportation for the traffic lights at the intersection of Route 139 and Twin Lakes Road.

**MOTION:** Councilor Proto moved, seconded by Deputy Mayor Guertin, the attached Resolution of the North Branford Town Council (Attachment 4).

**VOTE:** Passed 6 to 0 in a roll call vote.

- c. Discussion and Action Re: DOT Plans on Widening Route 80

Town Engineer Kurt Weiss reviewed his Memorandum dated November 6, 2002 regarding Route 80 Widening Project. He indicated that the State DOT was not able to attend this evening's meeting. He reminded the Council that this is two projects, one encompassing Route 80 from Twin Lakes Road to the Tilcon railroad bridge which will commence next fall and is anticipated to be completed in the Summer of 2005. He noted that the second project is from the Tilcon railroad bridge to just past the Route 22 intersection and this phase is behind in the design schedule.

Town Engineer Weiss reviewed a copy of the revised plans showing plantings along Route 80 in the area where a retaining wall was previously proposed. He also reviewed the revised plans showing the area of the Church Street/Route 80 intersection and noted that the existing alignment will be maintained in order to preserve the Town green and monuments in that area.

The Council reviewed the plans. Town Engineer Weiss stated that he felt that this requires a more detailed landscape plan.

### 13 NEW BUSINESS

- a. Discussion and Action Re: Adopting Revised Job Description - Assessor

Town Manager Kilduff briefly reviewed with the Council the revised job description for the Assessor. He noted that the last time this was updated was in the 1970s and the proposed description better delineates the duties performed by the assessor.

**MOTION:** Deputy Mayor Guertin moved, seconded by Councilor Downes, that in accordance with Section C 9-2 of the North Branford Town Charter, the Town Council of the Town of North Branford hereby adopts the revised job description of the position of Assessor, as recommended by the Town Manager (Attachment 5).

**VOTE:** Passed 6 to 0 in a roll call vote.

- b. Discussion and Action Re: Resolution Authorizing Department of Public Health Grant for Ambulance Equipment

Town Manager Kilduff briefly reviewed the receipt of \$2,300 for equipment for the fire department and ambulance company.

**MOTION:** Councilor Downes moved, seconded by Councilor Esposito, that the North Branford Town Council hereby approves the attached Resolution of the North Branford Town Council (Attachment 6).

**VOTE:** Passed 6 to 0 in a roll call vote.

- c. Discussion and Action Re: MS IV Stormwater Requirements on Municipalities

Town Manager Kilduff spoke on this new mandate from the Federal government. He noted that no action was required of the Council at this time.

Town Engineer Weiss reviewed with the Council his Memorandum dated November 6, 2002 regarding Connecticut Department of Environmental Protection General Permit for the Discharge of Storm-water from Small Municipal Separate Storm Sewer System (MS 4). He noted that the DEP will be holding a public hearing on this. The next step would be for the Town to register and implement stormwater management plans. He briefly reviewed the time frame for this. The Town Engineer noted that there may be some grant funds available.

There was discussion between the Town Council and Town Engineer with respect to this issue. Town Engineer Weiss advised the Council that the State DEP must have the regulations in place prior to the Town registering. He stated that they are still awaiting the specifics from the DEP.

Councilor Bigelow reported on information which she procured with respect to this issue.

## 11. RESIGNATIONS AND APPOINTMENTS

- b. Other Appointments

MOTION: Councilor Downes moved, seconded by Deputy Mayor Guertin, that the North Branford Town Council hereby reappoints Dan Troiano to the Police Commission for a term to expire December 31, 2005.

VOTE: Passed 6 to 0 in a roll call vote

MOTION: Councilor Downes moved, seconded by Deputy Mayor Guertin, that the North Branford Town Council hereby appoints Paul Proto to the Police Commission to fill a vacancy with a term to expire December 31, 2003.

VOTE: Passed 5 to 0 with 1 abstention in a roll call vote

FOR: Mayor Wentworth, Deputy Mayor Guertin, Council Members Mary Bigelow, Michael Downes and Andrew Esposito

ABSTAIN: Council Member Paul Proto

#### 14. CITIZENS' STATEMENTS AND PETITIONS

Mayor Wentworth was in receipt of the following correspondence:

Town of Westbrook	Re: Ice skating rink
Connecticut Safety Society	Re: Connecticut Safety Society Symposium
Connecticut Siting Council	Re: AT&T Wireless Notice of intent to modify an existing telecommunications facility located at 83 Reeds Gap Road
Board of Fire Commissioners	Re: Minutes of October 3, 2002 meeting; Fire Marshal Report for September 2002; Request change in Merit Service Retirement Plan
Office for Workforce Competitiveness	Re: Recent Informational Session
CT Association of Municipal Attorneys	Re: Risk Management for Municipalities in the 21st Century: Legal and Insurance Issues
Emergency Medical Services Council, Inc.	Re: Seat on Regional EMS Council's Board of Directors
Police Commission	Re: Cedar Lake Road changes; request to hire attorney for resolution of workers compensation/employment issues

Dept. of Environmental Protection	Re:	New Funding Program for Collection System Improvements
Regional Mental Health Board, Inc.	Re:	Fiscal Year 2003-2004 support
Advisory Commission on Inter-Governmental Relations	Re:	Report entitled "Connecticut Municipal Budget Adoption Experiences, FY 2002-03"
Conn. Conference of Municipalities	Re:	Meeting of ADA Coordinators; Supervisor Training on DOT Drug-And-Alcohol Testing Regulations; Expansion of CCM Working Group on CRRA; Meeting with Myron Orfield on Development Patterns and Other Forces Changing our Hometowns, Regions and State and Legislative Committee Meeting; Process and Schedule for Developing CCM's 2003 State Legislative Program; Description of the CCM Legislative Committee and The Committees That Report to it; 2003 State Legislative Recommendations: Taxes and Finance Committee; Committee on Environmental Management; Municipal Law, Liability and Insurance; and Public Health & Human Services; Stormwater Phase II Informational Meeting; Environmental Management Bulletins; Municipal Management Bulletins
Conn. Interlocal Risk Management	Re:	Risk Control Shop Talk newsletter November 2002 Workshop on Fundamentals of Boiler Operations
Department of Transportation	Re:	Report on Public Information Meeting held on replacement of bridge at Route 17 over Pistapaug Pond Brook
North Branford High School	Re:	Principal's Newsletter November, 2002
Lorman Education Services	Re:	Construction Contracting For Public Entities in Connecticut
Segal	Re:	Bulletin October 2002
ADP	Re:	Free Time & Labor Management Seminar
Bureau of Water Management	Re:	General Permit for Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems

Parks & Recreation Commission Re: Minutes of October 28, 2002 meeting

Zion Episcopal Church Re: Crossroads Newsletter November 2002

Saint Raphael's Hospital Re: Better Health magazine November/December 2002

HRP Associates, Inc. Re: The HRP Advisor October 2002

USA Today Re: Q & A on Islam and Arab Americans

South Central Regional Council Re: Members and new date - Trail Committee  
of Governments

It was suggested that the Town Engineer or Town Planner should sit on this committee.

- 15. ADJOURN TO EXECUTIVE SESSION
  - b. Pending Litigation, to CGS 1-200 (6) (B)

MOTION: Councilor Esposito moved, seconded by Councilor Bigelow, that the North Branford Town Council hereby adjourns to Executive Session at 8:25 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, the Town Attorney and Attorney Thomas Gerard.

VOTE: Passed unanimously.

Councilor Candelora arrived at 8:40 p.m.

.MOTION: Councilor Proto moved, seconded by Councilor Downes, to return to open session at 8:45 p.m.

VOTE: Passed unanimously

- a. Personnel, Pursuant to CGS 1-200 (6) (A)

MOTION: Councilor Downes moved, seconded by Councilor Candelora, that the North Branford Town Council hereby adjourns to Executive Session at 8:46 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 unanimously.

.MOTION: Councilor Bigelow moved, seconded by Councilor Downes, to return to open session at 9:05 p.m.

VOTE: Passed unanimously.

MOTION: Councilor Downes moved, seconded by Councilor Proto, that the North Branford Town Council hereby approves a 4% salary increase for the Town Manager effective November 8, 2002.

VOTE: Passed unanimously.

16. ADJOURNMENT

MOTION: Deputy Mayor Guertin moved, seconded by Councilor Proto, to adjourn the meeting at 9:07 p.m.

VOTE: Passed unanimously.

Respectfully submitted,

---

Rosanne Krajewski,  
Clerk to the Council