

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

Tuesday, December 12, 2006

Town Council Chambers

7:03 p.m.

1. ROLL CALL: Present were Mayor Andrew Esposito, Deputy Mayor Joanne Wentworth, Council Members Mary Bigelow, Andrew Bozzuto, Vincent Candelora, Michael Doody, Donald Fucci, Arthur Hausman and Ashley Joiner. Also present were Town Manager Karl Kilduff and Town Attorney John Gesmonde.

**PRESENTATION OF CERTIFICATE OF RECOGNITION ON THE RETIREMENT
OF LINDA CANTORE, ASSISTANT TOWN CLERK**

Mayor Esposito presented Assistant Town Clerk Linda Cantore with a plaque of recognition upon her retirement.

2. MINUTES OF PREVIOUS MEETING:
 - a. November 21 – Regular WPCA & Town Council Meeting

MOTION: Deputy Mayor Wentworth moved, seconded by Councilor Bigelow, to accept the minutes of the November 21, 2006 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. CORRESPONDENCE/CITIZENS' STATEMENTS

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

REGULAR TOWN COUNCIL AGENDA

7. REPORTS OF COMMITTEES, BOARDS AND COMMISSIONS:
 - a. Board of Education Financial Report - As of December 1, 2006

The Council was in receipt of the Board of Education Financial Report as of December 1, 2006 (Attachment 1).

Councilor Bozzuto questioned if the Board of Education returns funds back to the Town at the end of the fiscal year.

Town Manager Kilduff confirmed that any unused funds in the Board of Education budget are returned to the Fund Balance. He stated that some funds did come back into the Fund Balance this year from the Board of Education.

- b. Regional Growth Partnership

Town Manager Kilduff reported that the Board of the Regional Growth Partnership met on December 6th. A presentation was made by a Partnership for Strong Communities on upcoming legislation regarding housing affordability in the State. A report was also given on RGP's pre-bid conference with consultants on the Comprehensive Economic Development Strategy for the region. The Board discussed a report from CERC on Connecticut benchmarks and approved the regional legislative agenda.

- c. Pension Committee

Town Manager Kilduff reported on the special meeting of the Pension Committee at which a report on alternate investment vehicles was received and discussed.

- d. Economic Development Commission

Town Manager Kilduff reported on the Economic Development Commission's meeting last evening where the economic development staff gave a status report on their activities and an overview of statistics which will be included on the Town's web site. The Commission also approved a façade application, which is the third grant approved under the façade program. He briefly reviewed the approved façade project on Route 80.

8. TOWN MANAGER'S REPORT

Town Manager Kilduff presented and reviewed with the Council his Memorandum dated December 5, 2006 (Attachment 2). He noted that the Town will be closing on the 13 Old Post Road property later this week and that a kickoff meeting was held with the construction manager on the library construction projects.

The Town Manager also indicated that the Town is in receipt of a Memorandum on the past work done by CERC with the Town and has received a check from the Connecticut Historical Trust to fund the hazardous material abatement plan for the little white historic gas station.

9. COMMUNITY EVENTS AND PRESENTATIONS

There were no community events or presentations at this time.

10. CITIZENS' STATEMENTS AND PETITIONS AND CORRESPONDENCE

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

11. RESIGNATIONS AND APPOINTMENTS

MOTION: Councilor Candelora moved, seconded by Councilor Fucci, that the North Branford Town Council hereby reappoints Shannon Querfeld Miscio to the Conservation and Inland Wetlands and Watercourses Commission for a term to expire December 31, 2008.

Mayor Esposito suggested moving to the appointment of the Sub-Committee for Board and Commissions Interviews prior to making any appointments.

Councilor Candelora requested that that item be left on the table and taken up under 13. New Business, item d. Discussion and Action Re: Board and Commission Appointment Process.

There was a brief discussion on this by Council members.

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

MOTION: Councilor Fucci moved, seconded by Councilor Candelora, 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, 2008.

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

MOTION: Councilor Fucci moved, seconded by Councilor Candelora, that the North Branford Town Council hereby reappoints Dawn Pearson to the Economic Development

Commission for a term to expire December 31, 2008.

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

MOTION: Councilor Fucci moved, seconded by Councilor Hausman, that the North Branford Town Council hereby appoints Bruce Wentworth to the Economic Development Commission to replace Al Clemente who is not seeking reappointment for a term to expire December 31, 2009.

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

FOR: Mayor Esposito, Councilors Mary Bigelow, Andrew Bozzuto, Vincent Candelora, Michael Doody, Donald Fucci, Arthur Hausman and Ashley Joiner

ABSTAIN: Deputy Mayor Wentworth

MOTION: Councilor Fucci moved, seconded by Councilor Candelora, that the North Branford Town Council hereby reappoints Richard Bigelow to the Ethics Commission for a term to expire December 31, 2009.

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

FOR: Mayor Esposito, Deputy Mayor Wentworth, Councilors Andrew Bozzuto, Vincent Candelora, Michael Doody, Donald Fucci, Arthur Hausman and Ashley Joiner

ABSTAIN: Councilor Mary Bigelow

MOTION: Councilor Candelora moved, seconded by Councilor Fucci, that the North Branford Town Council hereby reappoints Suzanne Kolakowski to the Library Board for a term to expire December 31, 2009.

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

MOTION: Councilor Fucci moved, seconded by Councilor Candelora, that the North Branford Town Council hereby reappoints John Landolfi to the Police Commission for a term to expire December 31, 2009.

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

FOR: Mayor Esposito, Deputy Mayor Wentworth, Councilors Mary Bigelow, Andrew Bozzuto, Vincent Candelora, Donald Fucci, Arthur Hausman and Ashley Joiner

ABSTAIN: Councilor Michael Doody

MOTION: Councilor Candelora moved, seconded by Councilor Fucci, that the North Branford Town Council hereby appoints John Lappie to the Police Commission for a term to expire December 31, 2009.

VOTE: Passed 5 to 3 with 1 abstention in a roll call vote.

FOR: Deputy Mayor Wentworth, Councilors Mary Bigelow, Vincent Candelora, Donald

Fucci and Arthur Hausman
OPPOSED: Mayor Esposito, Councilors Andrew Bozzuto and Ashley Joiner
ABSTAIN: Councilor Michael Doody

MOTION: Councilor Candelora moved, seconded by Councilor Fucci, that the North Branford Town Council hereby reappoints Steve Kenning to the Zoning Board of Appeals for a term to expire December 31, 2009.

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

MOTION: Councilor Candelora moved, seconded by Councilor Fucci, that the North Branford Town Council hereby reappoints Guy Stone to the Zoning Board of Appeals for a term to expire December 31, 2009.

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

MOTION: Councilor Candelora moved, seconded by Councilor Bigelow, that the North Branford Town Council hereby reappoints Barbara Hutchinson to the Hazardous Waste/Recycling Committee for a term to expire December 31, 2008.

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

MOTION: Councilor Candelora moved, seconded by Councilor Fucci, that the North Branford Town Council hereby reappoints David Rathbun to the Hazardous Waste/Recycling Committee for a term to expire December 31, 2008.

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

- a. Motion to Remove from Table Town Council Appointment to Board and Commissions Interview Sub-Committee

MOTION: Councilor Bozzuto moved, seconded by Councilor Joiner, to remove from table Town Council Appointment to Board and Commission Interview Sub-Committee.

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

FOR: Mayor Esposito, Councilors Andrew Bozzuto and Ashley Joiner
OPPOSED: Deputy Mayor Wentworth, Councilors Mary Bigelow, Vincent Candelora, Michael Doody, Donald Fucci and Arthur Hausman

- b. Town Council Appointment to Board and Commissions Interview Sub-Committee

This item will be taken up later in the meeting under 13. New Business, item d.

12. UNFINISHED BUSINESS

- a. Discussion and Action Re: Implementation Timing and Funding of Fire Pension Benefit Increases

Councilor Candelora noted that the Pension Committee had met and approved the Fire Pension increase with the understanding that it would be funded commencing July 2007. The Fire Commission is requesting that the Town fund part of the increase beginning in January 2007. Councilor Candelora stated that this request has been made for the past several years and there has been no increase in this fund in the past six years. He reviewed the benefits to the Town by funding part of the increase commencing in January. He stated that he is recommending funding part of the increase in this fiscal year, at an approximate cost of \$11,000.

Town Manager Kilduff also addressed this.

There was discussion by Council members on this request.

MOTION: Deputy Mayor Wentworth moved, seconded by Councilor Joiner, that the North Branford Town Council hereby implements funding for the Fire Pension Benefit Increase as of January 1, 2007.

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

FOR: Mayor Esposito, Deputy Mayor Wentworth, Councilors Mary Bigelow, Andrew Bozzuto, Vincent Candelora, Michael Doody, Donald Fucci and Ashley Joiner

ABSTAIN: Councilor Arthur Hausman

- b. Discussion and Action Re: Request to Modify Condition of Agreement for Installation of cul-de-sac at 1005 Middletown Avenue

Town Engineer Weiss reviewed with the Council his Memorandum dated November 30, 2006. He reviewed the modification being requested and confirmed that the Public Works Director has indicated that the material is of no use to the town in its present form. He concurred with removing the material from the site.

MOTION: Councilor Fucci moved, seconded by Deputy Mayor Wentworth, that the North Branford Town Council hereby approves of a modification of the License Agreement dated March 22, 2005 between the Town and 1003-A Middletown Avenue, LLC, to revise Line 2.C. of said agreement to read:

“Any excess material removed from the area of the proposed cul-de-sac on the Town property shall become the property of the Company and shall be disposed of off site”.

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

- c. Discussion and Action Re: Update on Route 80 Widening Project

Town Manager Kilduff reviewed with the Council letters dated November 28 and 29, 2006 from the State Department of Transportation to Representative Robert Ward and himself indicating that the State will relocate Church Street as requested by the Council and the Congregational Church.

With respect to the issue of the shed being removed from the historic district, the Town Manager indicated that Janet Gregan has contacted the Connecticut Historical Society who will approve the shed's removal without the necessity of realigning the historic district. He stated that there is no local action which needs to be taken at this time.

13. NEW BUSINESS:

- a. Discussion and Action Re: Town Council Meeting Schedule for 2007

Councilor Candelora suggested consolidating the Town Council meetings to one meeting a month on the third Tuesday of the month. He noted that this would allow liaisons to attend other meetings which would make for better communication between the Council and the commissions. He also noted that a special meeting of the Council could be called if it is required.

There was considerable discussion on this by Council members. There was some concern with respect to the two upcoming building projects and the need for additional meetings.

Town Manager Kilduff noted that the construction projects are overseen by the Permanent Project Building Committee and confirmed that a report would be contained on the Town Council Agenda for that Committee.

With respect to the issue of the Water Pollution Control Authority, the Town Manager noted that traditionally that meets only on the first meeting of the month. He also did not feel there would be an issue with any tax abatements coming from the Economic Development Commission.

There was further discussion on this by Council members.

MOTION: Councilor Fucci moved, seconded by Deputy Mayor Wentworth, to amend the Water

Pollution Control Authority and Town Council 2007 Meeting Schedule to hold one meeting on the third Tuesday of the month (Attachment 3).

Town Manager Kilduff reviewed the new meeting dates and the deviations from this schedule, that being the April 3rd meeting for the Budget Public Hearing and the August 7th meeting following the summer schedule.

VOTE: Passed 5 to 4 in a roll call vote.

FOR: Deputy Mayor Wentworth, Councilors Vincent Candelora, Michael Doody, Donald Fucci and Arthur Hausman

OPPOSED: Mayor Esposito, Councilors Mary Bigelow, Andrew Bozzuto and Ashley Joiner

Town Manager Kilduff confirmed that he will file this schedule with the Town Clerk.

- b. Discussion and Action Re: Senior Center Programs

Councilor Doody indicated that he has received a letter regarding problems at the Senior Center and Mayor Esposito has received a phone call with respect to this.

MOTION: Councilor Doody moved to establish a Senior Citizens Sub-Committee consisting of Town Council representatives to look into the letter.

Town Manager Kilduff addressed this, noting that unless the Council was looking to make policy changes these issues are management issues to be addressed by the Town Manager.

Councilor Doody rescinded his motion.

MOTION: Councilor Doody moved, seconded by Councilor Hausman, that the North Branford Town Council requests that the Town Manager look into the letter received and report back to the Council and that the Town Council establish a three member Senior Citizens Sub-Committee to review the procedures at the Senior Center.

Town Manager Kilduff requested clarification on what procedures are to be reviewed.

Councilor Doody indicated that he would like policy procedures reviewed such as whether the Senior Center should be separated from the Recreation Department or whether to keep them as one department.

Mayor Esposito spoke on the call that he received, noting the some of the seniors are afraid to come forward on this issue.

Town Manager Kilduff noted that the Council can discuss the separation of the Senior Center from the Recreation Department, particularly as work is commencing on the 2007/08 budget. Any change in policy can be implemented in the 2007/08 budget.

Town Manager Kilduff indicated that he would complete a report by the next meeting and that the Council would need to appoint members to the Sub-Committee. He stated that policy issues and financial consequences can then be reviewed by the Council.

Councilor Doody indicated that the writer of the letter would be willing to discuss these issues with the Town Manager.

There was further discussion on this by the Council.

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

FOR: Mayor Esposito, Deputy Mayor Wentworth, Councilors Mary Bigelow, Andrew Bozzuto, Vincent Candelora, Michael Doody, Donald Fucci and Arthur Hausman

OPPOSED Councilor Ashley Joiner

- c. Discussion and Action Re: Ratification by Financial Authority on Board of Education Administrator Collective Bargaining Agreement

Town Manager briefly reviewed the Board of Education Administrator Collective Bargaining Agreement.

Councilor Candelora pointed out that the administrators' increase is approximately 3 ¼% over three years and that the administrators have agreed to an increased insurance share. He felt that this was keeping in line with the teachers' contract and that this was a fair contract.

Business Manager Donald Winnicki was present and noted that the percentage increase is lower for the administrators than the teachers.

Town Manager Kilduff noted that these salary increases are less than what arbitration awards.

MOTION: Councilor Candelora moved, seconded by Deputy Mayor Wentworth, that the Town Council of the Town of North Branford hereby ratifies the negotiated collective bargaining agreement between the North Branford Board of Education and the North Branford School Administrators' Association covering the period of July 1, 2007 through June 30, 2010.

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

d. Discussion and Action Re: Board and Commission Appointment Process

Councilor Candelora spoke on the board and commission appointment process that came out of the Council's strategic planning session. He felt that in theory it works but felt that this would make the process more cumbersome and may not accomplish the goals of the Council. He noted that it is the responsibility of the Town Committees to review candidates for boards and commissions and that the Town Committees should be mindful of the Council's goals. He stated that it is difficult enough to get people to serve on these board and commissions and he felt that the process should be streamlined.

There was some discussion on this by Council members.

MOTION: Councilor Candelora moved, seconded by Councilor Fucci, that the North Branford Town Council hereby rescinds its Statement of Policy regarding Board and Commission Appointment Process.

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

FOR: Mayor Esposito, Deputy Mayor Wentworth, Councilors Mary Bigelow, Andrew Bozzuto, Vincent Candelora, Michael Doody, Donald Fucci and Arthur Hausman

OPPOSED: Councilor Ashley Joiner

e. Discussion and Action Re: Financial Report - November 2006

Treasurer/Finance Director Anthony Esposito reviewed with the Council the Financial Report for November 2006. He noted that expenditures are slightly ahead of last year due to the Board of Education having expended more than last year at this time.

Upon questioning, he confirmed that the Board of Education surplus funds are rolled back into the general fund balance.

- f. Discussion and Action Re: Appropriation from Contingency

MOTION: Councilor Candelora moved, seconded by Councilor Fucci, 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 4).

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

FOR: Mayor Esposito, Deputy Mayor Wentworth, Councilors Mary Bigelow, Andrew Bozzuto, Vincent Candelora, Michael Doody, Donald Fucci and Ashley Joiner

ABSTAIN: Councilor Arthur Hausman

- g. Discussion and Action Re: Appropriation of Prior Capital Improvement Funds

Treasurer/Finance Director Anthony Esposito reviewed his Memorandum dated November 29, 2006 regarding Capital Expenditures. He reviewed each of the five requested expenditures. There was a correction on the In-Wall Heating/Air Conditioning Units for Town Hall. The request is for eight units, not two units.

There was discussion between the Council and the Town Manager on the Plan of Conservation and Development, which is adopted by the Planning and Zoning Commission. The Town Manager confirmed that the consultant works with staff and the Commission through meetings and workshops. Councilor Candelora suggested that the Economic Development Commission be involved in this process as well. The Town Manager confirmed that all planning documents since the last Plan of Development are part of the document review process done by the consultant.

There was discussion on a State grant for security cameras. Business Manager Donald Winnicki indicated that the grant is for a one year study but that no hardware is included. The intent is to have this done as soon as feasible.

MOTION: Councilor Candelora moved, seconded by Councilor Fucci, that BE IT HEREBY RESOLVED that the North Branford Town Council hereby approves the transfer of funds for the attached capital projects form the Auditorium Fund (430) (Attachment 5).

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

- h. Discussion and Action Re: Appropriation of Capital Improvement Fund to Re-power Fire Apparatus

MOTION: Deputy Mayor Wentworth moved, seconded by Councilor Joiner, that BE IT HEREBY RESOLVED that the North Branford Town Council instructs the

Treasurer/Finance Director to disburse the necessary funds from Fund 401 – Capital & Non-Recurring – to provide the re-powering of Engine Tanker 11 for the North Branford Fire Department, as recommended by the Fire Chief and Town Mechanic.

Town Manager Kilduff reviewed with the Council the Memorandum dated December 6, 2006 from Treasurer/Finance Director Esposito regarding Engine Replacement for Fire Apparatus.

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

j. Discussion and Action Re: Approval of Tax Refunds

MOTION: Councilor Doody moved, seconded by Councilor Bigelow, that the North Branford Town Council hereby approves the attached property tax refunds (Attachment 6).

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

14. CITIZENS' STATEMENTS AND PETITIONS

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

Anne Wolfer, Twin Lakes Road Re: Spoke in support of the Senior Center. She indicated that she had retired two years ago and attends the Senior Center twice a week. She spoke on what a great place the Senior Center is and all the activities that they do.

Rosemary Miller Re: Spoke in support of the Senior Center. She noted that she is a retired program coordinator from the Senior Center. She stated that she was surprised that the Council would accept an anonymous letter as newspapers have a policy that does not recognize anonymous letters. She felt that it was below the dignity of the Council to accept any letter without knowing who sent it. She stated that she was proud of the work down by the staff at the Senior Center and

felt

that the citizens get a good value for the dollars spent. She stated that if something is not broken, don't fix it. She felt that the Senior Center could do with more resources from the Town.

Councilor Doody pointed out that not all of the complaints received were anonymous and that a subcommittee will look into this.

Dudley Harrison, North Street Re: Spoke on the Senior Center. He was concerned with the receipt of an anonymous letter. He also questioned the results of the Route 80 widening project and noted that the Council needs to update the audio system so that citizens can hear better.

Cliff Potter, 1251 Middletown Ave. Re: Spoke on the Council switching to meetings once a month and how the Board of Education handles this. He suggested that the Council follow the Board of Education format with an Executive Session prior to the meeting to iron out differences.

Deputy Mayor Wentworth noted that Executive Sessions can only be held for specific issues such as personnel issues, litigation or land acquisition.

Richard Bigelow Re: Was concerned with the receipt of an anonymous letter and felt that these complaints could be false or irrelevant and suggested that someone should speak with the person that wrote the letter to make sure they are rational. He spoke on the work done by the Recreation Department over the past several years and the positive changes made with festivals and senior trips.

Ray Funaro, Birchwood Road
noted that Re: Spoke in support of the Senior Center. He

his wife goes there on a daily basis and that the staff is very helpful and his wife is socially accepted there.

Cheryl Catano Re: Spoke in support of the Senior Center. She told the Council how the staff at the Senior Center has helped her family with her mother.

15. ADJOURNMENT

MOTION: Councilor Fucci moved, seconded by Councilor Candelora, to adjourn the meeting at 8:20 p.m.

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

Respectfully submitted,

Rosanne Krajewski
Clerk to the Council