



RECEIVED
APR 11 2024
BRANFORD TOWN CLERK

**Representative Town Meeting
April 10, 2024
Meeting Minutes**

Moderator: Maryann Amore	Clerk: Frank Twohill
Majority Leader: Tracy Everson	Minority Leader: Victoria Verderame

The RTM convened on Wednesday, April 10, 2024, at 8:02 p.m. at Branford Fire Headquarters, 45 North Main Street, to consider and act upon the following matters:

1. Call to Order, Pledge of Allegiance

Moderator Amore led the Body in the Pledge of Allegiance.

2. Call of the Roll:

Representatives Present: Adams, Adelman, Alfone, Amore, Anderson, Black, Brooks, Dahill, Everson, Hentschel, Hynes, Ingraham, Keefe, Laich, Larsson, Loffredo, Maresca, McCall, McCormack, Neupane, Popolizio, Sharkey, Shrestha, Twohill, Waterman.

Representatives Absent: Bonenberger, Greenberg, Hartwell, Soomro, Verderame.

Ex-Officios Present: First Selectman Cosgrove, Town Clerk Arpin.

3. Approval of Minutes of March 13, 2024, Meeting:

Motion to approve made by Rep. Dahill, 2nd by Rep. Laich. The minutes were approved unanimously in a voice vote.

4. Receipt of Communications, Reports of Committees, and Citizen Petitions:

Moderator Amore read a letter from Dan Bullard who is concerned with short term rentals in Branford. Moderator Amore referred the matter to the Rules & Ordinances Committee.

5. To consider and approve an amendment to the Stony Creek Museum Lease to allow the Stony Creek Museum to occupy additional space downstairs. (See Attachment)

Rep. Adelman stated that the Administrative Services Committee heard the lease addendum, (for 20 years until 2043 and then 2 additional 10-year extensions.) The Administrative Services Committee voted 7-0 to recommend the addendum to the full RTM and he put the item forward to the full R.T.M. as a motion. The amendment to the lease was approved unanimously, 24-0, in a voice vote.

6. To consider, and if appropriate, approve a request from the Director of Human Resources for the following FY24 transfer request:

General Fund Transfer for Parks, Recreation and Custodian Agreement

From:		
10149040-588802	Contingency	(\$62,757)
To:		
10141107-517000	Regular Wages & Salaries - GGB	4,783
10145010-517000	Regular Wages & Salaries - Recreation	30,120
10141107-519040	Accrued Payroll Expense - GGB	0
10145010-519040	Accrued Payroll Expense - Recreation	0
10141170-518000	Overtime - GGB	2,170

10145010-518000	Overtime - Recreation	1,538
10141170-519070	Retroactive Wages - GGB	3,251
10145010-519070	Retroactive Wages - Recreation	<u>20,895</u>
	Total	\$62,757

Rep. Brooks stated that the Ways & Means Committee did not meet, and he made a motion to waive R.T.M. Rule 4.4.1, 2nd by Rep. Black. Approved unanimously 24-0 in a voice vote. Rep. Brooks stated these transfers are to fund previously passed union contractual obligations and he put the item forward to the full R.T.M. in the form of a motion, 2nd by Rep. Black. The item passed unanimously, 24-0, in a voice vote.

7. To consider, and if appropriate, approve a request from the Probate Court for the following FY24 transfer request:

From:		
10149040-588802	Contingency	(\$6,000)
To:		
10141110-579150	Technology Acquisitions	6,000

Rep. Brooks stated that the Ways and Means Committee did not meet, and he motioned to waive R.T.M. Rule 4.4.1, 2nd by Rep. Popolizio. Passed unanimously, 24-0, in a voice vote. Rep. Brooks stated the proposed transfer is to buy a copier and he made a motion, 2nd by Rep. Loffredo. Item passed unanimously, 24-0, in a voice vote.

8. To consider and if appropriate approve an amendment to the Town Code - RTM Rules, Committees, C. Rule 4.3.4 Committee responsibilities and E. Rules 4.5.1 and 4.5.2 Committee reports - to clarify and coordinate long standing references to Reports and more recent requirements for Meeting Minutes. (Amendment attached)

Rep. Hentschel gave a brief report. Rules & Ordinances Committee voted unanimously on March 19 to approve this item. There were no changes to the Committee draft. Rep. Hentschel motioned for approval of this change to the RTM Rules. A roll call vote was held, and the motion passed unanimously, 24-0, in a voice vote.

9. To consider, and if appropriate, approve the establishment of a Harbor Management Commission, pursuant to CGS 22a-113k. (See Attachment)

Rep. Hentschel stated that the Rules & Ordinances Committee has formed a working group on this matter which is preparing a draft. He motioned that this item be rereferred. This motion was approved unanimously, 24-0, in a voice vote.

10. To consider, and if appropriate, approve the following requests from the Finance Director for capital transfers for FY2024:

Fund 720 Municipal Facilities Fund

From:		
72041170-579410-22333	Building Improvements Police	(\$79,000)
To:		
72041170-599110-22333	Transfer Out (Fund 700)	\$79,000

Fund 700 Capital Fund Appropriation Increase

Increase:		
70090000-490010	Transfer In (Fund 720)	\$79,000
Increase:		
70041020-579250-24xxx	EV Charging Stations	50,000
70041170-579250-24xxx	UPS Fire Department	<u>29,000</u>
	Total	\$79,000

Fund 700 Capital Fund

From:		
70041170-544300-21322	Police Veneer Repairs	\$ 2,500
70041170-579410-22315	Orchard House Roof Replacement	1,180
70041170-579250-22316	Volunteer Center MUA	3,250
70041170-544300-22324	Police Carpet Replacement	6,411
70041170-579410-22325	Building Improvements HVAC	306
70041170-544300-23304	Police Power Wash & Paint	17,000
70041170-579250-23307	Police Department UPS	<u>27,877</u>
	Total	\$58,524
To:		
70041170-579250-24xxx	UPS Fire Department	\$58,524

Fund 101 General Fund

From:

10149040-588802	Contingency	\$30,000
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To:

10141190-579150	Technology Acquisitions (Copiers)	\$30,000
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Rep. Brooks stated that the Ways & Means Committee did not hear these transfers and motioned to waive R.T.M. Rule 4.4.1, 2nd by Rep. Hentschel. Passed unanimously in a voice vote. Rep. Brooks moved, 2nd by Rep. Ingraham, to approve the transfers for various capital funds.

11. RTM Budget Committee Meetings – Schedule

Moderator Amore stated the RTM Committees will meet to consider and vote on the pending FY 25 Town of Branford proposed budget on the following dates and times: (All meetings will be held at the Joe Trapasso Community House at 7 pm.) Ways & Means Committee, April 24, Education Committee, May 6, Rules & Ordinances Committee, April 16, Public Services Committee April 18 and April 30, Administrative Services Committee, May 7.

12. Other Business

First Selectman Cosgrove described the State of Connecticut Neighborhood Assistance Act Tax Credit Program. Jamie stated all Branford non-profit organization applications are due at Town Hall by May 31st. Rep. Black motioned to add this item to the R.T.M. agenda, 2nd by Rep. Ingraham. After a 5-minute recess, the motion was approved in a voice vote, 23-1 (Waterman.)

13. Neighborhood Assistance Act Tax Credit Program

Rep. Black motioned, 2nd by Rep. Ingraham, to approve the Town of Branford's participation in the Neighborhood Assistance Tax Credit Program. There was a brief discussion among the Representatives. Passed in a voice vote, 23-1, (Waterman.)

14. Call to Adjourn: 8:48 pm.

Rep. Waterman made a motion to adjourn, 2nd by Rep. Popolizio.

See the BCTV recording of this meeting for details of the conversations.

Frank Twohill, RTM Clerk

Dated this 11th day of April, 2024

BRANFORD RTM RECORDED VOTES

RTM ROLL CALL, APRIL 10, 2024

	NAME	ATTENDANCE	Item #8 RTM Rule		
1	ADAMS	Present	Yes		
2	ADELMAN	Present	Yes		
3	ALFONE	Present	Yes		
4	AMORE	Present			
5	ANDERSON	Present	Yes		
6	BLACK	Present	Yes		
7	BONENBERGER	Absent			
8	BROOKS	Present	Yes		
9	DAHILL	Present	Yes		
10	EVERSON	Present	Yes		
11	GREENBERG	Absent			
12	HARTWELL	Absent			
13	HENTSCHEL	Present	Yes		
14	HYNES	Present	Yes		
15	INGRAHAM	Present	Yes		
16	KEEFE	Present	Yes		
17	LAICH	Present	Yes		
18	LARSSON	Present	Yes		
19	LOFFREDO	Present	Yes		
20	MARESCA	Present	Yes		
21	MCCALL	Present	Yes		
22	MCCORMACK	Present	Yes		
23	NEUPANE	Present	Yes		
24	POPOLIZIO	Present	Yes		
25	SHARKEY	Present	Yes		
26	SHRESTHA	Present	Yes		
27	SOOMRO	Absent			
28	TWOHILL	Present	Yes		
29	VERDERAME	Absent			
30	WATERMAN	Present	Yes		
	Total	25	24-0		
	Ex Officios				
	1st Selectman Cosgrove	Present			
	Selectman Dunbar				
	Selectman Higgins				
	Town Clerk Arpin	Present			
	Treasurer Schwanfelder				
	Attorney Aniskovich				

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 BRANFORD TOWN CLERK



Item #4

36 Park Place
Branford, CT 06405
Office: (203) 488-4488
Cell: (203) 671-6282
Fax: (203) 488-3053
dbullard@soundgw.com
soundgenerationalwealth.com

Daniel A. Bullard*, CLU, ChFC

March 21, 2024

Maryann Amore
Town of Branford RTM Moderator
Branford Town Hall
1019 Main Street
Branford, CT 06405

RECEIVED
2024 MAY -2 R 1:06
TOWN CLERK'S OFFICE
BRANFORD, CONNECTICUT

Dear Madam Moderator,

There has been considerable concern among Branford's shoreline neighborhoods about the growing proliferation of short-term residence and residential room rentals. This trend, in fact, has had a substantial impact on many communities along the New England coastline and this trend has in some cases grown into commercial or quasi-commercial enterprises with devastating effects on local housing availability.

Understanding that there may be significant differences between resident homeowners with a spare room who wish to make it available thru Airbnb type applications and non-resident homeowners who are making a business out of continual short-term rentals of their premises, I would like to ask the RTM to consider creating reasonable restrictions on short-term rentals in Branford thru a Town ordinance.

I, and many like-minded residents of Town, would be happy to voice our concerns in more detail at the appropriate time. Thank you for considering this request.

Sincerely,


Daniel A. Bullard

BOARD OF SELECTMEN

BRANFORD, CONNECTICUT

Item #5

JAMES B. COSGROVE
First Selectman

RAYMOND E. DUNBAR, JR.
ANGELA M. HIGGINS



1019 MAIN STREET
POST OFFICE BOX 150
BRANFORD, CT 06405
(203) 488-8394
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www.branford-ct.gov

DATE: February 27, 2024
TO: Maryann Amore, RTM Moderator
FROM: James B. Cosgrove, First Selectman *J.C.*
RE: RTM Agenda

At the Board of Selectmen's Meeting held on February 21, 2024, the Board unanimously approved a Second Amendment to lease between the Town of Branford and the Stony Creek Quarry Workers Celebration (Museum). The Second Amendment extends the term of the lease until 2043 and allows for two successive renewal terms, each for a renewal of ten years. All other terms and conditions remain in full force and effect.

Attached please find copies of the proposed Second Amendment to Lease, Amendment to Lease approved in 2012 (to allow use of the first floor and basement areas) and the original Lease Agreement.

Please place this item on the next agenda of the RTM for legislative approval. Thank you for your consideration.

SECOND AMENDMENT TO LEASE

WITNESSETH

This Second Amendment to Lease ("Second Amendment") is entered into on this ___ day of _____, 2023 by and between the Town of Branford ("Town") as LANDLORD and the Stony Creek Museum, Inc., formerly the Stony Creek Quarry Workers Celebration, (hereinafter the "Museum") as TENANT.

WHEREAS, on April 4, 2009, the Town and the Museum entered into that certain lease agreement (the "Lease") pursuant to which the entire upstairs portion of the Stony Creek Community Center located at 84 Thimble Islands Road, Branford, Connecticut (the "Building") was leased to the Museum; and

WHEREAS, the Town and the Museum entered into an Amendment to Lease Agreement on September 14, 2010 (the "First Amendment"), pursuant to which the remaining portions of the Building were included in the leased premises, and which First Amendment was approved by the Branford Board of Selectmen on January 18, 2012, the Administrative Services Committee of the Town of Branford RTM on February 13, 2012, and the Branford RTM on March 14, 2012; and

WHEREAS, the Museum has expended significant amounts of money to renovate the leased premises and desires to expend more money to improve the grounds in front of and on the School Street side of the Building; and

WHEREAS, the parties now wish to extend the term of the Lease as previously amended.

NOW, THEREFORE, the Town and the Museum agree as follows:

1. Section 1 of the Lease Agreement is deleted in its entirety and replaced with the following:

"The term of this Lease shall commence on the 4th day of April 2009 and end on April 3, 2043 (the "Initial Term"). The Museum shall have the right to request two successive renewal terms, each for a renewal period of ten (10) years, subject to such terms and conditions as the parties shall mutually agree upon."

2. All of the other terms and conditions of the Lease Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 7th day of June 2023.

TOWN OF BRANFORD

By _____

James B. Cosgrove, First Selectman

STONY CREEK MUSEUM, INC.

By  _____

Robert A. Babcock, President

BOARD OF SELECTMEN

BRANFORD, CONNECTICUT

JAMES B. COSGROVE
First Selectman

RAYMOND E. DUNBAR, JR.
ANGELA M. HIGGINS



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Minutes of Selectmen's Meeting February 21, 2024 Fire Headquarters -- 4:30 p.m.

The meeting was called to order at 4:30 p.m. Present were First Selectman James B. Cosgrove, Second Selectman Raymond Dunbar and Third Selectwoman Angela M. Higgins. Also present were Gary Zielinski, Director, Department of Public Works; Brian Devlin, Superintendent, WPCF; Brian Dronney, Lead Tradesman; Ted Ells, Stony Creek Museum; Tracy Everson, Frank Twohill, Carolyn Sires, Chris Hines and John Hartwell, RTM Members and Dan Hally.

Motion made by Selectwoman Higgins to approve the minutes of January 17, 2024. Seconded by Selectman Dunbar. Vote unanimous.

Executive Session -- Tax Appeals -- This item was removed from the agenda.

Motion made by Selectman Dunbar to approve accept a report from Brian Dronney, Lead Tradesman concerning emergency work at a town owned building located at 40 Kikham Street at a cost of \$13,807. The invoices are being processed through the insurance company. Seconded by Selectwoman Higgins. Vote unanimous.

Motion made by Selectman Dunbar to accept a report from Brian Devlin, Superintendent, Wastewater Treatment Facility for emergency work necessary to repair a failed pump at the Damascus Pump Station at a cost of \$12,800. Seconded by Selectwoman Higgins. Vote unanimous.

Motion made by Selectman Dunbar to approve a request from Gary Zielinski, Director of Public Works to trade in a John Deere 323E S/N Compact Track Loader for a price of \$25,159 toward the purchase of a 2024 John Deere 333 G Compact Track Loader (contract #011723-JDC). Seconded by Selectwoman Higgins. Vote unanimous.

Motion made by Selectman Dunbar to approve a request from Gary Zielinski, Director of Public Works to waive the bid for the purchase of catch basin cleaning and award the contract to Shaw Vac Services at a cost of \$29.00 per basin and \$200 per hour for basin cleaning. (this is a negotiated price in which ShawVac matched the lowest per basin bid price and offered a lower per hour rate than the bids received by CRCOG). Seconded by Selectwoman Higgins. Vote unanimous.

Motion made by Selectman Dunbar to approve a request from Jennifer Acquino, Assistant Town Engineer to waive an informality of the Fueling Facility Installation, Branford Fire Headquarters bid as it is in the Town's best interest. The lowest bidder neglected to provide a digital copy of their bid submission as required in the invitation to bid. Seconded by Selectwoman Higgins. Vote unanimous.

Motion made by Selectman Dunbar to approve a Second Amendment to Lease between the Town of Branford and the Stony Creek Quarry Workers Celebration (Museum). The Second Amendment extends the term of the lease until 2043 and allows for two succession renewal terms, each for a renewal of ten years. All other terms and conditions remain in full force and effect. Seconded by Selectwoman Higgins. Vote unanimous.

Motion made by Selectwoman Higgins to abate the taxes for property located at 210 Pine Orchard Road acquired by the Town of Branford on December 14, 2023. Seconded by Selectman Dunbar. Vote unanimous.

Motion made by Selectwoman Higgins to approve the following resolution:
Be it resolved, that it is in the best interest of the Town of Branford to enter into contracts with the Department of Energy and Environmental Protection.
(This resolution is necessary for a grant award for the Pump Out Boat from the State of Connecticut Department of Energy and Environmental Protection)
Seconded by Selectman Dunbar. Vote unanimous.

Motion made by Selectman Dunbar to approve the following resolution:
RESOLVED, that the policies of the Town of Branford comply with nondiscrimination agreements and warranties of the Connecticut General Statutes §§ 4a-60 and 4a-60a, as amended.
(This resolution is necessary for a grant award for the Pump Out Boat from the State of Connecticut Department of Energy and Environmental Protection)
Seconded by Selectwoman Higgins. Vote unanimous.

Green Use:

Motion made by Selectwoman Higgins to approve a request from the Branford Compassion Club for use of the Town Green on March 30, 2024 from 9:00 a.m. to 12:00 p.m. noon to hold an Easter Bake Sale. Seconded by Selectman Dunbar. Vote unanimous.

Motion made by Selectman Dunbar to approve a request from the Branford Community Gardens for use of the Town Green on May 18, 2024 (rain date May 19, 2024) from 9:00 a.m. to 2:00 p.m. to hold a Plant and Seedling Sale. Seconded by Selectwoman Higgins. Vote unanimous.

Motion made by Selectman Dunbar to approve a request from the Branford Parks and Recreation Department for use of the Town Green to hold musical and other events/activities on the following days: Mondays - May through October; Wednesdays - June and July and Thursdays - June through September. Seconded by Selectwoman Higgins. Vote unanimous.

Motion made by Selectwoman Higgins to approve a request from the Trinity Episcopal Church for use of the Town Green on June 8, 2024 from 2:00 p.m. to 10:00 p.m. to hold a LGBTQ and Pride Festival. Seconded by Selectman Dunbar. Vote unanimous.

Reappointments:

Academy on the Green

Don Gentile (move from Elector position to Branford Historical Society position) term to expire January 30, 2025. Motion made by Selectwoman Higgins to approve the reappointment. Seconded by Selectman Dunbar. Vote unanimous.

Albert Russell (move from First Congregational Church rep to Elector position) term to expire January 30, 2027. Motion made by Selectman Dunbar to approve the reappointment. Seconded by Selectwoman Higgins. Vote unanimous.

Appointments:

Academy on the Green (Widow's Son Lodge)

Charlie Miller to fill a vacancy left by Len Bucher term to expire January 30, 2029. Motion made by Selectwoman Higgins to approve the appointment. Seconded by Selectman Dunbar. Vote unanimous.

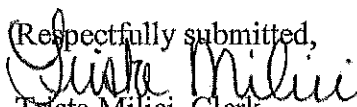
Economic Development Commission

Susan Fainstein to fill a vacancy left by Alisa Waterman term to expire July 31, 2024. Motion made by Selectwoman Higgins to approve the appointment. Seconded by Selectman Dunbar. Vote unanimous.

Correspondence: - none

Other – Dan Hally addressed the board requesting additional trash cans along Main Street between the library and Harrison House as well as near the Trolley Trail near West Point Road.

Motion made by Selectman Dunbar to adjourn the meeting at 4:52 p.m. Seconded by Selectwoman Higgins. Vote unanimous.

Respectfully submitted,

Trista Milici, Clerk

AMENDMENT TO LEASE AGREEMENT
STONY CREEK COMMUNITY CENTER
84 THIMBLE ISLANDS ROAD
BRANFORD, CT 06405

Amendment to Lease Agreement ("Lease Agreement") dated April 4, 2009 by and between the Town of Branford, Connecticut (hereinafter "Branford"), LANDLORD and the Stony Creek Quarry Workers Celebration, Inc. (hereinafter "Quarry Workers") TENANT.

WHEREAS, Branford, pursuant to the Lease Agreement leased to the Quarry Workers the entire upstairs area of the Stony Creek Community Center at 84 Thimble Islands Road, Branford, CT (the "building"),

WHEREAS, the Quarry Workers on November 12, 2009 changed its name to the Stony Creek Museum, Inc. ("Museum"),

WHEREAS, at the time the Lease Agreement was signed the U.S. Coast Auxiliary, Flotilla 17-01 was the leasee of the first floor and basement of the building, which lease has terminated, and

WHEREAS, the Museum desires to lease the first floor and basement in addition to the entire upstairs area of the building.

WITNESSETH:

1. The Lease Agreement is hereby amended to provide that the premises leased and demised to Tenant shall be the entire building (Entire Upstairs Area, First Floor and Basement).

2. All of the other terms and conditions of the Lease Agreement shall remain in full force and effect.

BOARD OF SELECTMEN

BRANFORD, CONNECTICUT

RECEIVED

JAN 25 P 3:14



TOWN CLERK'S OFFICE
BRANFORD, CONNECTICUT

ANTHONY J. DAROS
First Selectman

ANDREW J. CAMPBELL, SR.
JAMES B. COSGROVE

1019 MAIN STREET
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MINUTES OF SELECTMEN'S MEETING

January 18, 2012 – unapproved

Senior Center – 6:00 p.m.

The meeting was called to order at 6:00 p.m. Present were First Selectman Anthony J. DaRos; Second Selectman Andrew J. Campbell and Third Selectman James B. Cosgrove. Also present were: Art Baker, Public Works Director; Joyce Forte, Human Resources Director; Bill Horne, Land Trust; Public Works Building Committee members: Mario Ricozzi, Craig Fuchs, Kurt Trieber; James Perito, Special Counsel; RTM Members: Peter Black, Dennis Flanigan, Frank Twohill, Adam Hansen, Ray Ingraham, Cynthia Nargi and Dave Baker; Charlie Goetsch, President, TIFTD; Peter Brown, TIFD; John Dwight and Jeff Alberti, Weston and Sampson; Town Employees: Otto Berger, Chris MacKinnel, Dan MacKinnel, Pam Paprocki, Henry Zesner, Scott Denhardt and Rich Brandriff; Francis Walsh; Susan Barnes; Marianne Hall; Jake Greenvall; Stan Konesky; John Cooke; Maureen DaRos; Wayne Cooke; Penny Bellamy; Joy McConnell; Pam Roy; John Opie; Victor Cassella; Peter Davis; George Dwyer; Judy Miller; Erica Campbell; Gary Zielinski; Pam Johnson; Diane Stricker; Nancy Barnes; Steve Mazzacane and approximately 6 additional individuals.

Motion made by Selectman Campbell to approve the minutes of the December 7, 2011 and December 9, 2011 (special meeting). Seconded by Selectman Cosgrove. Vote unanimous.

Joyce Forte addressed the Board to provide additional information concerning the request to approve a revision to the "Town of Branford Employee Handbook". Motion made by Selectman Cosgrove to approve a request from Joyce Forte to revise the "Town of Branford Employee Handbook" concerning Payroll: Sick leave. Seconded by Selectman Campbell. Vote unanimous.

Charlie Goetsch, President of the Thimble Island Ferry Taxing District addressed the Board of provide information concerning the Thimble Island Ferry Taxing District. He explained that this is a newly formed taxing district and they are seeking approval of the Board of Selectmen for a ferry service to provide round trip service for the island residents and also be allow the ferry to fill vacancies on the boat to provide sight seeing services while providing this essential service to the island residents. John Opie addressed the Board to provide additional history concerning the ordinance and parking concerns. The Board did not take action on this item. This item will be scheduled for a public hearing on February 1, 2012.

Board of Selectmen

Minutes of Meeting – January 18, 2012

Page Two

Motion made by Selectman Cosgrove to approve the following items and refer these to the RTM for final approval:

To consider and if appropriate, accept the following parcel of land from Alex Vigliotti to be conveyed as Open Space to the Town of Branford.

Area: 312,080 square feet, 7.164 acres

Said premises being a portion of property commonly known as 121 North Main Street and a portion of the property commonly known as "Parcel B, Cedar Street Rear. Designated as "Open Space" on a map entitled "Property Survey Depicting the Proposed Disposition Plan of Founders Village, Age-Restricted Apartment Home Community, Hillside Avenue, Branford Connecticut" dated September 16, 2009.

To consider and if appropriate, accept the following parcel of land from Alex Vigliotti to be deeded to the Town of Branford.

Area: 8,765 square feet, 0.201 acres

Property commonly known as 81 Cedar Street. Designated as "Parcel C" on a map entitled "Property Survey Depicting the Proposed Disposition Plan of Founders Village, Age-Restricted Apartment Home Community, Hillside Avenue, Branford Connecticut" dated September 16, 2009.

To consider and if appropriate, accept the following parcel of land from 36 Rose Street, LLC to be deeded to the Town of Branford.

Area: 565 square feet, 0.013 acres

Property known as 30-36 Rose Street. Designated as "Land to be deeded to the Town of Branford on 36 Rose Street, LLC Property" on a map entitled "Property Survey Depicting the Proposed Disposition Plan of Founders Village, Age-Restricted Apartment Home Community, Hillside Avenue, Branford Connecticut" dated September 16, 2009.

To consider and if appropriate, accept the following property of land from 84 Terrace Street, LLC to be deeded to the Town of Branford.

Area: 16,095 Square feet, 0.369 acres

Property designated as "Property to be conveyed to the Town of Branford (Hillside Avenue Right of Way)" as shown on a map entitled "Property Survey Depicting the Proposed Disposition Plan of Founders Village, Age-Restricted Apartment Home Community, Hillside Avenue, Branford Connecticut" dated September 16, 2009.

Seconded by Selectman Campbell. For the record First Selectman DaRos stated that the Board received a letter from Mr. Todd Bainer a neighboring property owner opposed to the property transfers. Vote unanimous.

Motion made by Selectman Campbell to approve a Grant of Conservation Restriction by the Town of Branford to the Branford Land Trust and a Declaration of Covenants and Restrictions for a parcel of property located as known as 121 North Main Street and a portion of the property commonly known as

"Parcel B, Cedar Street Rear. Designated as "Open Space" on a map entitled "Property Survey Depicting the Proposed Disposition Plan of Founders Village, Age-Restricted Apartment Home Community,

Hillside Avenue, Branford Connecticut" dated September 16, 2009. Seconded by Selectman Cosgrove. Selectman Cosgrove requested clarification as to why the town is granting a conservation restriction in favor of the Land Trust. Stan Konesky, adjoining property owner addressed the Board to provide additional information concerning the neighbors. He stated that one of the concerns with the neighbors is that they wanted assurance that this property would not be sold or developed and granting the conservation to the Land Trust would provide them with an added level of assurance that this property will essentially stay in its current state and will only be used for passive recreation.

Art Baker and Kurt Treiber of the Public Works Building Committee along with Jeff Alberti and John Dwight of Weston and Sampson addressed the Board to present the Public Works Building Committee's final report and recommendation for the relocation and construction of the Public Works Facility. Kurt Treiber addressed the Board to provide information concerning the committee's responsibilities and provide additional information concerning the charge of the committee and its analysis of the possible sites. John Alberti presented a power point presentation of the study and analysis of the current and future needs of the department. The Public Works Building Committee recommendation is to build the new Public Works Department building on the Tabor property site. The Board did not take any action on this item. This item will be scheduled for a public hearing on February 1, 2012.

Motion made by Selectman Cosgrove to enter into executive session at 7:20 p.m. to discuss pending tax appeals. First Selectman DaRos requested James Perito to attend the executive session.

Present in executive session were: First Selectman Anthony J. DaRos; Second Selectman Andrew J. Campbell; Third Selectman James B. Cosgrove and James Perito, Special Counsel.

Return to regular session at 7:27 p.m. For the record no votes were taken while in executive session.

Motion made by Selectman Cosgrove to approve a recommendation for settlement in the Laska v. Town of Branford -- 137 Brushy Plain Road tax appeal. Seconded by Selectman Campbell. Vote unanimous.

Motion made by Selectman Cosgrove to approve a recommendation for settlement in the Laska v. Town of Branford -- 151 Brushy Plain Road tax appeal. Seconded by Selectman Campbell. Vote unanimous.

Motion made by Selectman Cosgrove to approve a recommendation for settlement in the Laska v. Town of Branford -- 46-52 Park Place tax appeal. Seconded by Selectman Campbell. Vote unanimous.

Motion made by Selectman Cosgrove to approve a recommendation for settlement in the Laska v. Town of Branford -- 550 East Main Street, Unit 31 tax appeal. Seconded by Selectman Campbell. Vote unanimous.

Motion made by Selectman Campbell to approve a shellfish bed lease agreement for bed #516 between the town and Midstate Shellfish, LLC for a 5 year term. Seconded by Selectman Cosgrove. Vote unanimous.

*

Motion made by Selectman Cosgrove to approve an amendment to the Stony Creek Museum Lease and allow the Stony Creek Museum to occupy additional space downstairs. Seconded by Selectman Campbell. Vote unanimous.

Motion made by Selectman Campbell to approve a request from the Trinity Episcopal Church for use of the Town Green on Saturday, September 8, 2012 from 7:00 a.m. to 3:00 p.m. to hold the Annual Church Fair. Selectman Campbell amended the motion to include Friday, September 7, 2012 for set up as indicated on the application. Seconded by Selectmen Cosgrove. Vote unanimous.

Motion made by Selectman Campbell to approve a request from MADD for use of the Town Green on Saturday, October 13, 2012 to hold the annual "Walk Like MADD". Seconded by Selectman Cosgrove. Vote unanimous.

Motion made by Selectman Campbell to approve a request from the Branford Women's Club for use of the Town Green on Saturday, May 19, 2012 to hold the Annual Craft Fair. Seconded by Selectman Cosgrove. Vote unanimous.

Reappointments:

Conservation Commission

Michael McGuinness term to expire July 31, 2015. Motion made by Selectman Campbell to approve the reappointment. Seconded by Selectman Cosgrove. Vote unanimous.

Commission on Elderly Services

Luba Mebert Schmid, Dana Murphy and Anita Visentin-Perito terms to expire December 31, 2014. Motion made by Selectman Cosgrove to approve the reappointments. Seconded by Selectman Campbell. Vote unanimous.

Economic Development Commission

Marcia Wellman and Peter Indeck terms to expire July 31, 2014. Motion made by Selectman Campbell to approve the reappointments. Seconded by Selectman Cosgrove. Vote unanimous.

Human Services Board

Bruce Grenon, Deanna O'Connell, Edward Mapp and Maria Storm terms expire December 31, 2014. Motion made by Selectman Cosgrove to approve the reappointments. Seconded by Selectman Campbell. Vote unanimous.

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Parker Memorial Park Commission

Nancy Gaylord term to expire December 31, 2016. Motion made by Selectman Campbell to approve the reappointments. Seconded by Selectman Cosgrove. Vote unanimous.

Planning and Zoning Commission

Phil Fischer term to expire October 31, 2016. Motion made by Selectman Campbell to approve the reappointments. Seconded by Selectman Cosgrove. Vote unanimous.

Planning and Zoning Commission – alternate

John Lust term to expire October 31, 2016. Motion made by Selectman Campbell to approve the reappointment. Seconded by Selectman Cosgrove. Vote unanimous.

Ray Ingraham addressed the Board concerning the reappointment of Peter Berdon to the Zoning Board of Appeals.

Motion made by Selectman Cosgrove to add the appointment of Peter Berdon and Larry Fisher to the agenda. Seconded by First Selectman DaRos. Selectman Campbell opposed. Vote 2 yeas, 1 nay.

Discussion occurred concerning the status of the reappointment of Peter Berdon.

Motion made by Selectman Cosgrove to reappoint Peter Berdon (as an alternate) and Larry Fisher to the Zoning Board of Appeals terms to expire October 31, 2016. Seconded by First Selectman DaRos. Vote unanimous.

Appointments:

Commission on Elderly Services

Laurie Rockwell to fill a vacancy term to expire December 31, 2012. Motion made by Selectman Cosgrove to approve the appointment. Seconded by Selectman Campbell. Vote unanimous.

Human Services Board

Jane Novick terms to expire December 31, 2012. Motion made by Selectman Cosgrove to approve the appointment. Seconded by Selectman Campbell. Vote unanimous.

Public Works Building Committee

Douglas Denes to fill a vacancy left by Kathy Fox. Motion made by Selectman Cosgrove to approve the appointment. Seconded by Selectman Campbell. Vote unanimous.

First Selectman DaRos read two letters from Wayne Cooke addressed to the Board (dated 1/16/12 and 1/14/12).

**REPRESENTATIVE TOWN MEETING
BRANFORD, CONNECTICUT
MINUTES 3/14/12**

The meeting was called to order by Moderator Sullivan at 8:01 p.m. The Moderator led the Body in the Pledge of Allegiance.

1. Roll Call.

Members Present: Rep. Abulugma, Rep. Amore, Rep. Baker, Rep. Black, Rep. Brooks, Rep. Bruno, Rep. Davis, Rep. Flanigan, Rep. Giardello, Rep. Greenalch, Rep. Hall, Rep. Hansen, Rep. Ingraham, Rep. Larrion, Rep. Leone, Rep. Maynard, Rep. Nargl, Rep. Sandler, Rep. Selvaggio, Rep. Severino, Rep. Stanlake, Rep. Sullivan, Rep. Torelli, Rep. Twohill.

Members Absent: Rep. Amarante, Rep. Chapman, Rep. Hanlon, Rep. Millo, Rep. Riccio, Rep. Walker.
Also Present: First Selectman DaRos, 2nd Selectmen Campbell, 3rd Selectman Cosgrove, Town Clerk Kelly.

2. Approval of the minutes of the previous meeting. The minutes were approved as amended. Motion to approve by Rep. Giardello, 2nd by Rep. Twohill; motion passed.
3. Reception of communications, reports of committees, and citizen petitions.
 - A letter from Rep. Flanigan/Clerk RTM regarding flooding on Ark Rd, Tabor Dr. & Woodside Dr.: To consider and, if appropriate, conduct an engineering study to prevent/minimize future flooding on Ark Rd., Tabor Dr. & Woodside Dr. and, if necessary, appropriate the necessary funding. This was sent to the Public Services Committee (see attachment).
 - To consider and, if appropriate, research feasibility of soundproofing strategies and solutions at Walsh Intermediate School with a goal for the town to allocate necessary funds for the 1200 students in four grades (this was a petition submitted to the RTM). This was sent to Education & Ways & Means Committees.
 - To Consider, and if appropriate, examine the initial purpose and current role of the special projects coordinator position so it can optimally address the economic needs of the community. This was sent to the Administrative Services Committee.
 - To consider and, if appropriate, examine the final capping of the landfill now occurring for potentially hazardous situation and the measures being proposed to monitor methane migration once the landfill is capped. This was sent to the Public Services Committee.
 - To consider and, if appropriate, look into the process by which valuations are determined on vacant land parcels of several acres or more, particularly in regard to CT PA 490 and the understanding and application of it by the Assessor's Office. This was sent to the PA 490 Committee.
 - Several letters from Wayne Cooke (on file in the Town Clerk's Office). Motion by Rep. Brooks to appeal the decision of the Moderator to read a letter from Wayne Cooke; 2nd by Rep. Giardello, resulting in a tie vote. The moderator broke the tie and did read a letter pertaining to the Tabor Drive trial. Also received 6 petitions from Wayne Cooke. These were sent to the Town Clerk for verification.
4. To consider, and if appropriate, draft new guidelines for public comments, debate and discussion at RTM meetings. Motion by Rep. Davis to re-refer this item; motion passed. A subcommittee was appointed to oversee this item. Committee members include Rep. Davis, Rep. Bruno & Rep. Greenalch.

13. To consider and, if appropriate, accept the following parcel of land from Alex Vighotti to be conveyed as Open Space to the Town of Branford, an area of 312,080 square feet, 7.164 acres. Said parcel being a portion of property commonly known as 121 North Main Street and a portion of the property commonly known as "Parcel B, Cedar Street Rear." Designated as "Open Space" on a map entitled "Property Survey Depicting the Proposed Disposition Plan C Founders Village, Age-Restricted apartment Home Community, Hillside Avenue, Branford, Connecticut" dated September 16, 2009.

Motion to approve this item by Rep. Baker, motion passed (see attachment).

14. To consider and if appropriate, accept the following parcel of land from 36 Rose Street, LLC to be deeded to the Town of Branford, an area 565 square feet, 0.013 acres. Said property commonly known as 30-36 Rose Street. Designated as "Land to be deeded to the Town of Branford on 36 Rose Street, LLC Property" on a map entitled "Property Survey Depicting the Proposed Disposition Plan of Founders Village, Age-Restricted Apartment Home Community, Hillside Avenue, Branford, Connecticut" dated September 16, 2009.

Motion by Rep. Baker to approve this item, motion passed (see attachment).

15. To consider and if appropriate, accept the following parcel of land from 84 Terrace street, LLC to be deeded to the Town of Branford, an area 16,095 square feet, 0.369 acres. Said property designated as "Property to be conveyed to the Town of Branford (Hillside Avenue right of Way)" as shown on a map entitled "Property Survey Depicting the Proposed Disposition Plan of Founders Village, Age-Restricted Apartment Home Community, Hillside Avenue, Branford, Connecticut" dated September 16, 2009.

Motion to approve this item by Rep. Baker, motion passed (see attachment).

16. To consider, and if appropriate, approve a Grant of Conservation Restriction by the Town of Branford to the Branford Land Trust and a Declaration of Covenants and Restrictions for a parcel of property located and known as 121 North Main Street and a portion of the property commonly known as "Parcel B, Cedar Street Rear" designated as "Open Space" on a map entitled "Property Survey Depicting the Proposed Disposition Plan of Founders Village, Age-Restricted Apartment Home Community, Hillside Avenue, Branford, Connecticut" dated September 16, 2009.

Motion by Rep. Baker to approve this item, motion passed (see attachment).

17. To consider, and if appropriate, approve an amendment to the Stony Creek Museum Lease to allow the Stony Creek Museum to occupy additional space downstairs. Motion by Rep. Baker to approve this item, motion passed.

18. To consider, and if appropriate, approve a request from the Registrar of Voters for the following transfer (FY12):

From: 10149040 588802	Contingency	(23,700)
To: 10141120 517630	Election Workers:	23,000
To: 10141120 533590	Moving & Storage	700
	TOTAL	23,700

Motion by Rep. Baker & Rep. Larrien to approve this item, motion passed. 1 no vote Rep. Brooks.

LEASE AGREEMENT
ENTIRE UPSTAIRS AREA OF
STONY CREEK COMMUNITY CENTER
84 THIMBLE ISLAND ROAD
BRANFORD, CONN.

THIS AGREEMENT, made and entered into this *4* day of *April*, 200*8* by and between the TOWN OF BRANFORD, CONNECTICUT (hereinafter "Branford"), LANDLORD, and STONY CREEK QUARRY WORKERS CELEBRATION, INC. (hereinafter the "Quarry Workers"), TENANT.

WHEREAS Branford is the owner of certain real estate with improvements thereon, located in the Town of Branford and known as the Stony Creek Community Center at 84 Thimble Island Road and;

WHEREAS, the Quarry Workers desires to lease the entire upstairs area of said Stony Creek Community Center;

WITNESSETH:

That Branford hereby will lease to Quarry Workers the upstairs area of said premises at 84 Thimble Island Road known as the Stony Creek Community Center under the following terms, covenants and conditions.

1. The term of this Lease shall be for the term of Twenty (20) years beginning on the *4* day of *April*, 200*8* and ending on the *3* day of *April*, 202*8*. This agreement may be terminated at any time by either party upon 90 day written notice. This Agreement may be renewed up to two (2) times by the parties for additional periods no greater than ten (10) years each time.

2. The Quarry Workers agrees to pay as rent for said premises, the sum of ONE DOLLAR (1.00), payable in advance, by *April 4*, 200*8*.

3. The Quarry Workers, as additional rent, is to provide, at its own expense, heat, electricity, water, utilities, and general maintenance and repairs except replacement of the heating plant, roof and general building support and foundation which shall remain the responsibility of Branford. The Quarry Workers shall provide general maintenance of the demised premises and shall keep same safe and clean and neat. The Quarry Workers will coordinate any allocation of these costs and duties with any other tenants.

Real Estate Taxes: The Town shall be responsible for real estate taxes or assessments, if any, assessed against the building. Provided, however, if taxes are assessed due to the use by the Quarry Workers Celebration, the Quarry Workers will be responsible for these taxes.

4. The Quarry Workers agrees not to make any improvements, alterations, or additions to the leased premises without prior written approval of Branford, and the

Quarry Workers shall obtain all necessary permits prior to making said improvements, alterations, or additions. The Quarry Workers shall be responsible for providing and maintaining fire extinguishers in the leased area, and shall pay for any and all service charges necessary.

5. a. The Quarry Workers shall, during the entire term of this Lease Agreement, keep in full force and effect a policy of public liability and property damage insurance with respect to the Demised Premises, and the operations by the Quarry Workers in the Demised Premises, in which the limits of public liability for personal injury shall not be less than One million no/100 dollars (\$1,000,000.00) with at least One Hundred Thousand (\$100,000.00) Dollars per person and for property damage an amount no less than Four Hundred Thousand no/100 dollars (\$400,000.00). The policy shall name Branford as an additional insured, and shall contain a clause that the insurer will not cancel or change the insurance without first giving Branford thirty (30) days prior written notice. The insurance shall be in an insurance company approved to do business in the State of Connecticut and a current copy of the policy or certificate of insurance shall be delivered to Branford.

b. The Quarry Workers shall also carry fire and extended coverage insurance on the value of any improvements and alterations made to the Demised Premises by the Quarry Workers. Such insurance shall be carried with companies authorized to do business in the state. The Quarry Workers shall obtain a written obligation of each insurance company to notify Branford at least thirty (30) days prior to cancellation of such insurance. Such policies or duly executed certificates of insurance shall be delivered to Branford prior to the commencement of the Quarry Workers' occupancy hereunder, and renewals thereof as required shall be delivered at least (30) days prior to the expiration of the respective policy terms.

c. The proceeds to the Quarry Workers of any insurance shall be first applied for the repair or replacement of Branford's structural property, merchandise, fixtures and other property situated within the Demised Premises and to the repair and replacement of the improvements and alterations made by the Quarry Workers to the Demised Premises. If during the term of this lease the Demised Premises shall be destroyed by fire, the elements or any other cause, this lease shall cease and become null and void, except as to the application of the insurance clauses contained herein, from the date of such damage or destruction, and Tenant shall immediately surrender premises to Landlord.

d. In addition, the Quarry Workers shall indemnify Branford and hold Branford harmless for any costs, expenses, damages, or other liabilities arising out of the Quarry Workers' or its agents, guests, members, or invitees' negligence or willful acts. In the event of any action arising out of matters as to which said indemnification applies, the Quarry Workers shall pay all costs of defense of Branford related thereto.

e. The Quarry Workers will and does indemnify Branford and save it harmless from and against any and all claims, actions, damages, liability and expense in connection with the loss of life, personal injury and/or damage to property arising from or out of any occurrence in, upon or at the Demised Premises or the occupancy or use by the Quarry Workers of the Demised Premises or any part thereof which claims damage and

liability are occasioned wholly or in part by any act or omission of the Quarry Workers, its agent, employees, invitees, guests, patrons, contractors, sub-lessee, concessionaires or licensees. This indemnity shall apply in connection with claims, causes of action or judgments arising out of the Demised Premises owned by Branford upon which the Demised Premises are located, in the event of the negligence, reckless or willful act of the Quarry Workers, its agents, employees, invitees, guests, patrons, contractors, sub-lessee, concessionaires or licensees. It is further expressly agreed and understood that acts of the Quarry Workers' agents, guests, invitee and patrons, whether authorized by the Quarry Workers or not, shall be considered to be the express act of the Quarry Workers and the Quarry Workers shall, for the purposes of this Lease, be deemed responsible and chargeable for any and all acts or omissions of whatever kind or nature which are performed, permitted, allowed, or tolerated by the Quarry Workers and its agents, guests, invitee and patrons.

f. Branford shall not be liable for any damage occasioned by failure to keep said demised premises in repair except as for heating plant, roof and general building support and foundation, and shall not be liable for any damage done or occasioned by or from plumbing, gas, water, steam or other pipes, electric wires or sewage, or the bursting, leaking or running of any cistern, tank, wash-stand, water-closet or wastepipe in, above, upon or about said building or premises, nor for damage occasioned by water, snow, or ice being upon or coming through the roof, sky light, trap door, entrance, yard, plaster or appliances, nor for any damage resulting from fire, explosion, falling or otherwise, nor for any damage arising from acts or neglect of co-tenants or other occupants of the same building, or any owners or occupants of adjacent or contiguous property, except to the extent that any such loss or damage is caused by Branford's own negligence.

6. The Quarry Workers shall permit Branford to have free access to the premises hereby leased for the purpose of examining or exhibiting same, or to make any needful repair or alteration of such premises, which said Branford may see fit to make; also to allow to have placed upon said premises, at all times, notices of " FOR SALE " or " TO RENT ", and will not interfere with the same.

7. Quarry Workers agrees that neither the Quarry Workers nor the Quarry Workers' legal representatives shall sublet said premises or any part thereof, or assign this Lease, without the written consent of Branford thereto which permission may be granted or denied by the Town in its sole discretion, and that neither the Quarry Workers nor the Quarry Workers' legal representatives will use said premises for any purpose calculated to injure or deface the same, or to injure the reputation or credit of the premises or of the neighborhood.

8. The Quarry Workers agrees that it shall keep said premises in a clean and healthy condition, in accordance with the Ordinances of the Town of Branford and all the rules, regulations, ordinances, laws or statutes of any governmental body.

9. If default shall be made in the non-payment of the rent above reserved, or any part thereof, or in breach of any of the covenants or agreements herein contained to be kept by the Quarry Workers or the Quarry Workers' heirs, executors, administrators or assigns, it shall be lawful for Branford or Branford's legal representatives to re-enter into

and upon said premises, or any part thereof, either with or without process of law, and repossess the same and to distrain for any rent that may be due thereon, at election of said Branford; and in order to enforce to forfeiture for nonpayment of rent, it shall not be necessary to make a demand on the same day the rent shall become due, but a demand and refusal or failure to pay at any time on the same day or at any time on any subsequent day, shall be sufficient; and after such default shall be made, the Quarry Workers, and all persons in possession under Quarry Workers shall be deemed guilty of forcible detainer of said premises under applicable state statutes, laws or regulations. The Quarry Workers shall also pay all costs, expenses and reasonable attorney's fees that may be incurred or paid by Branford in enforcing the covenants and agreement of this Lease provided that Branford prevails in any litigation commenced by it to enforce the same.

10. In the event that the Branford shall, in its sole discretion, determine that it desires to sell said premises or to use the same for any other municipal purpose; and determine, in its sole discretion, that it does not desire to expend funds required of it to perform any covenant of Branford under the terms of this lease; or fail to budget any funds required of it to perform any covenant of Branford under the terms of this lease, Branford may terminate this lease, without penalty, upon three (3) months written notice, except that, in the event that the premises shall be in hazard to person or property and Branford shall determine that it does not desire to expend the funds to perform any covenant hereof requiring the repair of such condition or conditions or to budget such funds, said notice shall be ninety (90) days. In the event of a termination of the lease under this paragraph, Branford shall only be liable for the return of any unearned rental payment.

11. The Quarry Workers shall keep said premises free of all liens and encumbrances. In the event that any lien or encumbrance shall be placed upon said premises, the Quarry Workers shall immediately arrange for the removal thereof. Failure to remove any such encumbrance within five (5) days of a demand for such removal by Branford shall constitute a breach of this lease and shall entitle Branford, without further notice, to terminate the same. In addition to any other remedies provided to it by law or equity, Branford may advance any sums which, in Branford's sole discretion, are necessary for the removal of said lien and may recover said sum from the Quarry Workers.

12. Upon the expiration of this lease or any termination thereof, the Quarry Workers shall return the premises to Branford in a condition at least as good as their condition upon the commencement of the lease. Any improvements made to the premises during the term hereof and any fixtures attached to the premises shall become the property of Branford, without any payment by Branford to the Quarry Workers therefore.

13. In the event of any action at summary process or any other action commenced by Branford arising out of or related to this lease, any obligation of the Quarry Workers to Branford hereunder, or the Quarry Workers' status as a tenant or possessor of the premises, Branford, in the event that it shall prevail in said action in whole or in part, may recover of the Quarry Workers all its reasonable attorneys' fees, as may be set by the court having jurisdiction of said action, costs, and other costs of

litigation and collection.

14. In the event that said premises shall be taken by any municipal, state or federal entity, Branford shall not be obligated to the Quarry Workers for any costs or lost use and the lease shall immediately terminate. In the event of any payment for said taking, it is clearly understood that Branford, as owner of the premises, not the Quarry Workers, shall be entitled to all such recoveries.

15. Any notice required hereunder shall be given in writing and shall be sent to the party by registered or certified mail, return receipt requested, at the following address or at such other address as the receiving party may designate to the other in writing:

As to Branford:	As to the Quarry Workers:
Town of Branford Office of the First Selectman Town Hall P.O. Box 150 Branford, CT 06405	Stony Creek Quarry Workers Celebration, Inc. c/o Theodore F. Ells 255 Thimble Islands Rd. Branford, CT 06405

16. This Agreement contains the entire agreement between the parties, and no statement, provision, or inducement made by either the Contractor or an agent of either party that is not contained in this Agreement shall be valid or binding. This Agreement and any Exhibit, if any, hereto shall be not modified, changed, altered, amended or cancelled in any way unless such modification, alteration, change, amendment or cancellation is agreed to in a writing signed by both parties. In the situation and for such valid reason that either party must terminate this contract before its completion date, the party shall provide such notice no less than sixty (60) days in advance of the intended termination.

17. No failure on the part of either party to exercise, and no delay in exercising any right hereunder shall operate as a waiver of such right nor shall any single or partial exercise of such right preclude any other further exercise or the exercise of any other right.

18. In case any one or more of the provisions of this Agreement is determined to be invalid, illegal, or unenforceable in any respect, such provision shall be reformed to the minimum extent necessary to cause such provision to be valid, legal or enforceable. If no such reformation is possible, then such provision shall be deemed omitted and the balance of the Agreement shall remain valid and enforceable.

19. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument. Facsimile execution and delivery of this Agreement are legal, valid and binding execution and delivery for all purposes.

20. Any controversy or claim arising out of or relating to this Agreement shall be governed by the law of the State of Connecticut without regard to its conflicts of laws

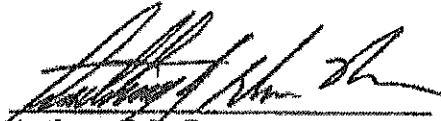
principles. The parties agree to submit to the exclusive jurisdiction of the Connecticut courts, both state and federal.

21. The rights and remedies of the parties to this Agreement are cumulative and not alternative.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

TOWN OF BRANFORD

STONY CREEK QUARRY WORKERS
CELEBRATION, INC.



Anthony J. DaRos
First Selectman



Theodore F. Ells
Committee Member

MINUTES OF SELECTMEN'S MEETING
April 16, 2008 – approved by the BOS 05/07/08
Senior Center – 6:00 p.m.

The meeting was called to order at 6:00 p.m. Present were First Selectman Anthony J. DaRos; Second Selectman Francis W. Walsh and Third Selectman John Opie. Also attending were Peter Hugret, Information Technology Director; Maria Storm, Chairman, Human Services Board; and Rod Meehan, Reporter. Arriving late were Sandra Reiners, Board member, JBML; Kathy Rieger, Director, JBML and Attorney John Radshaw.

Motion made by Selectman Walsh to approve the minutes of April 2, 2008. The agenda incorrectly indicated the minutes were from March 2, 2008. Seconded by Selectman Opie. Vote unanimous.

Selectman Walsh invited Maria Storm, Chairman of the Human Services Board to make a presentation to the Board. Mrs. Storm provided the board with information concerning the members of the Board, the Counseling Center and the board's responsibilities regarding policies, etc. She stated that the Counseling Center currently has over 400 active cases. The Board of Selectmen thanked her for her presentation.

Motion made by Selectman Walsh to withdraw item #3 – To consider, and if appropriate, adopt the vision statement as adopted by the Vision Committee. Seconded by Selectman Opie. Vote unanimous.

Motion made by Selectman Walsh to add a request to waive bids for the IT Department as item #3. Seconded by Selectman Opie. Vote unanimous. For the record the three requests from the IT Department have been discussed with the Board of Finance and the RTM.

Peter Hugret addressed the Board to explain the request to waive bid for the purchase of services from New England Geosystems to develop a program to allow for electronic redistricting planning for the Voting District Realignment project – total cost \$4,500.

Peter Hugret addressed the Board to explain the request to waive bid for the professional services to conduct a study of the finance system by Blum Shapiro the town's current auditor.

Motion made by Selectman Walsh to approve the request to waive the bid for the study - total cost \$45,000. Seconded by Selectman Opie. It was mentioned that this item did not need to be waived since it is for professional services less than \$50,000. Vote unanimous.

Peter Hugret addressed the Board to explain the request to waive bid for the purchase of a new finance/payroll software package from MUNIS.

Motion made by Selectman Walsh to approve the request to waive the bid for the purchase of the MUNIS software package – total cost \$289,454. Seconded by Selectman Opie. For the record this request has been reviewed and discussed by the RTM and the Board of Finance. Vote unanimous.

Motion made by Selectman Opie to approve a request from Dagmar Ridgway, Director, Canoe Brook Senior Center to waive ordinance 115-3 concerning the consumption of alcoholic beverages in a public are and allow beer and wine to be served at the following events:

- Jubilant July Dinner Party on July 23, 2008
- Amazing August Dinner Party on August 27, 2008
- Autumn Dinner Party on September 24, 2008

Seconded by Selectman Walsh. Vote unanimous.

Motion made by Selectman Walsh to approve a request from Nation Day of Prayer for use of the Town Green on Thursday, May 1, 2008 from 6:00 p.m. to 7:30 p.m. to hold a National Day of Prayer ceremony. Seconded by Selectman Opie. Vote unanimous.

Motion made by Selectman Walsh to approve a request from National Association of Letter Carriers for use of the Town Green on Friday, May 9, 2008 beginning at 12:00 noon to hold a kick-off event to promote the annual food drive. Seconded by Selectman Opie. Vote unanimous.

Motion made by Selectman Walsh to approve a proposal to enter into a lease agreement with the Quarry Workers Celebration for use of space at the Stony Creek Community Center located at 84 Thimble Island Road and forward this item to the RTM for further consideration. First Selectman DaRos read a letter from Theodore Ells dated April 15, 2008. The Board discussed the item at length. Selectman Walsh stated he had concerns about the stability of the building. First Selectman DaRos stated the building is stable. Selectman Walsh also stated he was concerned about the length of the lease of 20 years. First Selectman DaRos stated that the term was acceptable because the organization is proposing extensive renovation work plus handicapped access. Seconded by Selectman Opie. Vote unanimous.

Selectman Walsh read the following resolution:

WHEREAS, pursuant to Chapter 127c and Part VI of Chapter 130 of Connecticut General Statutes the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and **WHEREAS**, it is desirable and in the public interest that the Town of Branford make an application to the State for \$ 700,000 in order to undertake the Harbor Apartments Rehabilitation and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Selectmen

1. That it is cognizant of the conditions and prerequisites for the State Assistance imposed by Chapter 127c and Part VI of Chapter 130 of Connecticut General Statutes

2. That the filing of an application for State financial assistance by the Town of Branford in an amount not to exceed \$700,000 is hereby approved and that Anthony J. DaRos, First Selectman is directed to execute and file such application including a Program Income Reuse Plan, if applicable, with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of Town of Branford.
3. That it hereby adopts or has adopted as its policy to support the following nondiscrimination agreements and warranties required under subsection (a)(1) of Connecticut General Statutes sections 4a-60 and 4a-60a, respectively, as amended by Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142 and, and for which purposes the “contractor” is Town of Branford and “contract” is said Assistance Agreement:

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved.

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation.

Motion made by Selectman Opie to approve the resolution. Seconded by Selectman Walsh. Vote unanimous.

Selectman Opie read the following proclamation:

ELEVENTH ANNUAL “TAKE A STEP DAY”
APRIL 29, 2008

WHEREAS, MILLIONS OF AMERICANS, INCLUDING CHILDREN, TEENS, ADULTS AND THE ELDERLY, MAY EXPERIENCE THE DISEASE OF SUBSTANCE ABUSE AT SOME POINT DURING THEIR LIVES AND MAY SUFFER DEVASTATING CONSEQUENCES AS A RESULT; AND,

WHEREAS, NOT MANY FAMILIES IN AMERICA HAVE BEEN SPARED SOME DIRECT OR INDIRECT EXPERIENCE WITH ADDICTION; AND,

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WHEREAS, THE BRANFORD COUNSELING CENTER, ALONG WITH THE BRANFORD POLICE DEPARTMENT YOUTH DIVISION, BRANFORD RECREATION DEPARTMENT, FAMILY RESOURCE CENTER,

SCHOOL AGE CHILD CARE, YOUTH OUTREACH WORKER, AND THE SCHOOLS, HAVE DEVELOPED ACTIVITIES FOR "TAKE A STEP DAY" ON APRIL 29, 2008; AND,

WHEREAS, APRIL 29, 2008 WILL BE DESIGNATED AS A DAY TO INFORM, TO INVOLVE, TO COUNSEL AROUND THE ISSUES OF SUBSTANCE ABUSE, AND WILL PRESENT ALTERNATIVE, AND POSITIVE WAYS FOR CHILDREN TO FOLLOW; AND,

WHEREAS, STUDENTS FROM MARY R. TISKO, MARY T. MURPHY, JOHN B. SLINNEY, ST. MARY, PINE BROOK SCHOOLS AND HOME SCHOOLED YOUNGSTERS WILL PARTICIPATE IN LEARNING HEALTHY CHOICES TO COMBAT SUBSTANCE ABUSE; AND,

WHEREAS, IT IS BELIEVED THAT COLLABORATION WITH POLICY MAKERS, GOVERNMENT, SCHOOLS, BUSINESSES, CIVIC ORGANIZATIONS, POLICE, HEALTHCARE PROVIDERS, CLERGY, PARENTS, AND OTHERS WILL MOVE THE COMMUNITY A STEP CLOSER TO REDUCING SUBSTANCE ABUSE IN BRANFORD;

NOW, THEREFORE, IN RECOGNITION OF THE ABOVE ORGANIZATIONS' EFFORTS TO THE CITIZENS OF THE TOWN OF BRANFORD, WE, THE BRANFORD BOARD OF SELECTMEN OF THE TOWN OF BRANFORD, DO HEREBY OFFICIALLY DESIGNATE APRIL 29, 2008 AS "TAKE A STEP DAY".

Motion made by Selectman Walsh to approve the proclamation. Seconded by Selectman Opie. Vote unanimous.

Sandra Reiners and Kathy Rieger addressed the Board to provide information concerning the request to waive the bid for professional services for architectural design services for the renovation and addition to the James Blackstone Memorial Library.

Motion made by Selectman Walsh to waive the bid for professional services for architectural design services for the renovation and addition to the James Blackstone Memorial Library. Seconded by Selectman Opie. Vote unanimous.

Human Services Board – 3 years

John O'Connor term to expire December 31, 2011. Motion made by Selectman Opie to approve the appointment. Seconded by Selectman Walsh. Vote unanimous.

Executive Session: Pending Tax Appeals – none

Motion made by Selectman Opie to enter into executive session at 7:01 p.m. to discuss a pending lawsuit Salatto v. Branford. Seconded by Selectman Walsh. Selectmen Opie amended the motion to invite John Radshaw into executive session to discuss a pending lawsuit Salatto v. Branford. Seconded by Selectman Walsh. Vote unanimous.

Return to regular meeting at 7:19 p.m.

Board of Selectmen
Minutes of Meeting – April 16, 2008
Page Five

For the record no votes were taken while in executive session. Present during executive session were First Selectman Anthony J. DaRos, Second Selectman Francis W. Walsh and Third Selectman John Opie. Also present was Attorney John Radshaw.

Motion made by Selectman Walsh to authorize attorney Radshaw to settle the Salatto v. Branford lawsuit as discussed in executive session. Seconded by Selectman Opie. Vote unanimous.

First Selectman DaRos mentioned that some of the public meeting tapings are available for viewing on the town's website.

He also mentioned that the Community Dining Room is in need of canned goods and they're also scheduled to hold the annual "Stollerthon/walkathon" on April 26, 2008. In addition, Take a Step day is scheduled for April 29, 2008.

Motion made by Selectman Walsh to adjourn the meeting at 7:22 p.m. Seconded by Selectman Opie. Vote unanimous.

Respectfully Submitted,

Trista Milici
Clerk

RTM minutes from 12-10-08

Attachments:

[12-10-08 RTM Attachments.pdf](#)

Size: 770K Last Updated: 2008/12/30

The meeting was called to order by the First Selectman DaRos at 8:01 p.m. The First Selectman led the Body in the Pledge of Allegiance. The First Selectman called for the nomination of a Moderator Pro Tempore in the absence of the Moderator. Motion by Rep. Black, 2nd by Rep. Lambert, to have Rep. Giardiello be the Moderator Pro Tempore; motion passed.

1. Roll Call.

Members present: Rep Avitable, Rep. Baker, Rep Black, Rep Bodner, Rep Brooks, Rep. Bruno, Rep. Docknevich, Rep. Flanigan, Rep. Fowler, Rep. Giardiello, Rep. Greenalch, Rep. Hanlon Rep. Infantino, Rep. Keefe, Rep. Lambert, Rep. Maynard, Rep. Merrick, Rep. Nardella, Rep. Prete, Rep. Reed, Rep. Rondinone, Rep. Rowe, Rep. Sullivan, Rep. Sterling, Rep. Thayer, Rep. Torelli, Rep. Twohill.

Members absent: Rep. Chapman, Rep. O'Donnell, Rep. Reiners.

Also present: 1st Selectman DaRos 2nd Selectman Walsh, 3rd Selectman Opie, Town Clerk Kelly

2. Approval of the minutes of the previous meeting. The minutes were approved without exception.

3. Reception of communications, reports of committees and citizens' petitions:

- Rep. Flanigan read a letter from Branford Clean Energy Task Force (see attachment);
- Rep. Flanigan read several letters from Wayne Cooke; no action taken;
- Motion by Rep. Flanigan to add item 16 to the Call 2nd by Rep. Twohill Motion passed. To approved the appointment of Terence Elton to the Greater New Haven Transit District to fill a vacancy left by Wilfred Pinette term to expire December 9, 2012;
- Rep. Twohill asked Rep. Reed about her intentions of serving on the RTM, Rep. Reed indicated she would be resigning because of her comment as State Rep;
- Rep. Flanigan reminded everyone about there Town Calendar's that were due to the Town Clerk;
- Rep. Reed read a letter about the Turf Field at the High School (see attachment).

The following item were sent to Committees by the Moderator Pro Tempore:

- To consider and approve an agreement between the Town of Branford and the United Public Service Employees Union Local # 405 Town Hall Employees. This was sent to the Administrative Service Committee (see attachment).
- To consider, and if appropriate, approve an ordinance establishing a Strategic Review Committee, this was sent to the Rules & Ordinance Committee (see attachment).
- To consider, and if appropriate, amend Chapter 220 Taxation, of the Code of the town Branford to include an exemption as permitted by Public Act 07-242 to allow for a property tax exemption with respect to motor vehicles that are exempt from sales and use taxes under subdivision (110) or (115) of section 12-412 of the general statues as amended. This was sent to the Rules & Ordinance Committee (see attachment)

4. To consider and, if appropriate, approve a Resolution regarding Fight the Hike.

Motion by Rep. Maynard to rerefer this item; Motion passed (see attachment)

5. To consider and, if appropriate, approve a request from the Stony Creek Quarry Workers Celebration, Inc to lease a portion of the Stony Creek Community Center located at 84 Thimble Islands Road. Motion by Rep. Maynard to approve; Motion passed.

6. To consider and, if appropriate, approve an ordinance establishing a Community Forest Commission. Motion by Rep. Sterling to rerefer this item; Motion passed.

7. To consider and, if appropriate, approve changes to the Purchasing Ordinance Chapter 75 of the Code of the Town of Branford. Motion by Rep. Sterling to rerefer this item; Motion passed.

8. To consider and, if appropriate, approve a request from the Registrars of Voters for certain voting district and polling place changes. Motion by Rep. Sterling to rerefer this item; Motion passed (see attachment)

Item #12 & 13

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BRANFORD, CONNECTICUT



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April 10, 2024

Honorable Maryann Amore
RTM Moderator

Please be advised that the Town will be participating in the Neighborhood Assistance Tax Credit Program. As you may be recall, this program is designed to facilitate funding for municipal and tax exempt organizations by providing corporations a tax credit when making contributions to these entities.

The program has several statutory limits, including the following:

- A business is limited to receiving \$150,000 in tax credit annually.
- A non-profit organization is limited to receiving \$150,000 in aggregate contributions. The minimum contribution on which credit can be granted is \$250.
- The program has a **five million dollar cap**, which, if exceeded, results in proration of approved donations.

As there are no local taxpayer dollars required, The RTM has historically approved all of the applications.

In order for programs to be eligible they must be approved by the RTM and forwarded to the State by July 1. In an effort to comply with this timetable, I will request that applications be received on or before May 31st. Therefore, I respectfully request that this item be referred to the appropriate RTM committee in June.

Sincerely,

James P. Finch Jr.
Finance Director

CC: J. Cosgrove
RTM