

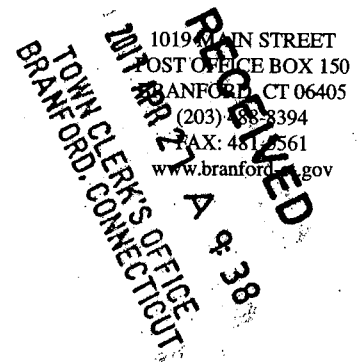
BOARD OF SELECTMEN

BRANFORD, CONNECTICUT



JAMES B. COSGROVE
First Selectman

JOSEPH E. HIGGINS, JR.
JOHN J. AHERN



MINUTES OF SELECTMEN'S MEETING April 5, 2017 – approved by the BOS 4-19-17 Fire Department Headquarters – 6:00 p.m.

The meeting was called to order at 6:00 p.m. Present were First Selectman James B. Cosgrove; Second Selectman Joseph E. Higgins, Jr. and Third Selectman John J. Ahern. Also present were: James Perito, Attorney; Dan Gregory, Superintendent, WPCF; Dan McGowan; Alex Palluzzi, Director, Parks and Recreation.

Motion made by Selectman Higgins to approve the Board of Selectmen minutes of March 1, 2017. Seconded by Selectman Ahern. Vote unanimous.

Motion made by Selectman Ahern to add a green use application from Maryanne Hall to hold a litter clean-up day on Saturday, April 15. Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Higgins to enter into executive session at 6:01 p.m. to discuss pending tax appeals. Seconded by Selectman Ahern. Vote unanimous.

Present were First Selectman James B. Cosgrove; Second Selectman Joseph E. Higgins, Jr.; Third Selectman John J. Ahern and Attorney James Perito.

Motion made by Selectman Ahern to return to regular session at 6:07 p.m. Seconded by Selectman Higgins. Vote unanimous.

For the record no votes were taken while in executive session.

Motion made by Selectman Higgins to approve a settlement agreement as proposed by Attorney Perito in the Boucher v. Town of Branford - 44 Bristol Street tax appeal. Seconded by Selectman Ahern. Vote unanimous.

Motion made by Selectman Ahern to approve a settlement agreement as proposed by Attorney Perito in the Katz v. Town of Branford - 27 Sybil Creek Place tax appeal. Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Ahern to approve a request from Donald Neel, BOE Chief Operating Officer for the purchase of telephone systems at John B. Sliney, Mary T. Murphy and Mary R. Tisko schools and award the contract to DeltaCom Communications in the amount of \$30,400. Seconded by Selectman Higgins. Don Neel and Joseph Carbone addressed the board to provide additional information concerning the request. Vote unanimous.

Motion made by Selectman Ahern to approve a request from Harry Smith, Town Planner and award the contract for the update to the town's Plan of Conservation and Development to Planimetrics, Inc. in the amount of \$70,000. Seconded by Selectman Higgins. Harry Smith addressed the board to provide additional information concerning the request. Vote unanimous.

Motion made by Selectman Higgins to approve a request from Harry Smith, Town Planner and award the contract for a Transit Oriented Development study of the area around the Branford Shore Line East train station to Buckhurst, Fish & Jacquemart in the amount of \$125,000. Seconded by Selectman Ahern. Harry Smith addressed the board to provide additional information concerning this request. Vote unanimous.

Motion made by Selectman Ahern to approve a request from Dan Gregory, Superintendent, Water Pollution Control Facility to waive the bid for sludge disposal and award the contract to Synagro. Seconded by Selectman Higgins. Brian Devlin addressed the board to provide additional information concerning this request. Vote unanimous.

Motion made by Selectman Ahern to approve a request from Alex Palluzzi to waive the bid for the purchase of a John Deere Z997R mower and award the contract to G&H Equipment in the amount of \$16,895.00. Seconded by Selectman Higgins. Alex Palluzzi addressed the board to provide additional information concerning the request. Vote unanimous.

Motion made by Selectman Higgins to approve a request from Alex Palluzzi to waive the bid for the reconditioning of eight tennis courts at Foote Park and award the contract to Hinding Tennis courts in the amount of \$17,200. Seconded by Selectman Ahern. Alex Palluzzi addressed the board to provide additional information concerning the request. Vote unanimous.

Motion made by Selectman Ahern to approve a recommendation from the Solid Waste Management Commission to award the Management of Bulky Waste contract to Cherry Hill Construction, Inc. for fiscal years 2018-2020 with the option of 2 one year extensions. Seconded by Selectman Higgins. Dan McGowan addressed the board to provide additional information concerning the request. Vote unanimous.

Motion made by Selectman Ahern to approve a recommendation from the Solid Waste Management Commission to award the Thimble Island Municipal Solid Waste and Recycling Collection bid to Coastal Tide Marine Services for fiscal years 2018-2020 with the option of 2 one year extensions. Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Ahern to approve a request from Gary Zielinski, Highway Supervisor to waive the bid for catch basin cleaning and award the contract to Shaw Vac Services in the amount of \$58,500. Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Higgins to approve a request from Gina Macdonald for use of the Town Green on Saturday, April 22, 2017 from 11:00 a.m. to 4:00 p.m. to hold a clean-up day event. Seconded by Selectman Ahern. Vote unanimous.

Motion made by Selectman Higgins to consider, and if appropriate, approve a request from Ashley's Ice Cream and IHeart Media for use of the Town Green on Sunday, May 7, 2017 beginning at 2:00 p.m. to hold a dog adoption event. Seconded by Selectman Ahern. Vote unanimous.

Motion made by Selectman Ahern to approve a request from National Association of Letter Carriers for use of the Town Green on Friday, May 12, 2017 beginning at 10:00 a.m. to hold the Annual Letter Carriers Food Drive Kick-off event. Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Ahern to approve a request from the Branford Little League for use of the back green area on Saturday, June 10, 2017 at 8:00 p.m. to hold a movie night. Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Ahern to approve a request from the Community Dining Room for use of the Town Green Tuesday evenings from 5:30 p.m. to 7:00 p.m. starting June 13 through August 22, 2017 to hold Tuesday Night Dinners on the Green. Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Higgins to approve a request from Branford Police Union/Special Olympics CT for use of the Town Green on Saturday, July 8, 2017 from 11:00 a.m. to 3:00 p.m. hold "Dunk-A-Cop". Seconded by Selectman Ahern. Vote unanimous.

Motion made by Selectman Higgins to approve a request from the Branford Community Gardens for use of the Town Green on Saturday, August 19, 2017 from 8:00 a.m. to 2:00 p.m. to hold a Produce Market. Seconded by Selectman Ahern. Vote unanimous.

Motion made by Selectman Higgins to approve a request from the Branford Compassion Club for use of the Town Green on Sunday, October 1, 2017 from 12:00 to 4:00 p.m. to hold Animal Awareness Day. Selectman Ahern. Vote unanimous.

Motion made by Selectman Ahern to approve a request from Maryanne Hall for use of the Town Green on Saturday, April 15, 2017 to hold a Clean-up day event. Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Ahern to appoint James Finch, Finance Director as the liaison to handle all Neighborhood Assistance Act matters. Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Ahern to waive the reading of items #15 - #20. Seconded by Selectman Higgins. For the record all of these items in their entirety will be contained in the minutes. Vote unanimous.

Motion made by Selectman Ahern to approve the following Municipal Grievance Procedure:

Town of Branford
MUNICIPAL GRIEVANCE PROCEDURE

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by the Town of Branford.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Diane Sconziano, ADA Coordinator
203-315-0613
Town of Branford
1019 Main Street
Branford, CT 06405

Within 15 calendar days after receipt of the complaint, Diane Sconziano will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, Diane Sconziano will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of Diane Sconziano and offer options for substantive resolution of the complaint.

If the response by Diane Sconziano does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after receipt of the response to the First Selectman or his or her designee.

Within 15 calendar days after receipt of the appeal, the First Selectman or his or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting the First Selectman or his or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Diane Sconziano, appeals to the First Selectman or his or her designee, and responses from the ADA coordinator and First Selectman or his or her designee will be kept by the Town of Branford for at least three years. Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Ahern to approve the following policy:

Town of Branford
Compliance with Title VI of the Civil Rights Act of 1964

The Town of Branford does not discriminate in the provision of services, the administration of its programs, or contractual agreements. The Town of Branford seeks to fully carry out its responsibilities under the Title VI Regulations.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color or national origin in programs and activities receiving Federal financial assistance. Title VI provides that No person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs covered by the Regulations.

This policy is effectuated through the methods of administration outlined in the Town of Branford's Fair Housing Plan and is fully implemented to ensure compliance by the Town of Branford, as the recipient, and by sub- recipients. The cooperation of all personnel is required.

Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Ahern to approve the following resolution:

FAIR HOUSING RESOLUTION
TOWN OF BRANFORD

Whereas, All persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

Whereas, Federal fair housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given equal access to all housing-related opportunities, including rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and

Whereas, Connecticut fair housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, or gender identity or expression be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and

Whereas, The Town of Branford is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

NOW THEREFORE, BE IT RESOVED, That the Town of Branford hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase, obtain financing and enjoy all other housing-related services of their choice on a non-discriminatory basis as provided by state and federal law; and

BE IT FURTHER RESOLVED, That the chief executive officer of the Town of Branford or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the Town of Branford and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the U.S. Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services, or other fair housing organizations to protect his or her right to equal housing opportunities.

Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Ahern to approve the following policy statement.

Town of Branford
Fair Housing Policy Statement

It is the policy of the Town of Branford to promote fair housing opportunities and to encourage racial and economic integration in all its programs and housing development activities.

Programs funded and administered by this Town of Branford must comply with the provisions of Section 46a-64c of the C.G.S., and with related state and federal laws and regulations that prohibit discriminatory housing practices.

Board of Selectmen
Minutes of Meeting – April 5, 2017
Page Six

The Town of Branford or any of sub-recipient of the Town of Branford will carry out an affirmative marketing program to attract prospective buyers or tenants of all majority or minority groups, without consideration of race, color, religion, sex, national origin, ancestry, creed, sexual orientation, gender identity or expression, marital status, lawful source of income, disability, age or because the individual has children in all programs and housing development activities funded or administered by the Town of Branford.

The municipality's Planning & Zoning Department is responsible for the enforcement and implementation of this policy. The Town Planner, Harry Smith may be reached at 203-488-1255 or hsmith@branford-ct.gov.

Complaints pertaining to discrimination in any program funded or administered by this Town of Branford, may be filed with the Planning & Zoning Department. The municipality's Grievance Procedure will be utilized in these cases.

Complaints also may be filed with the Commission on Human Rights and Opportunity, Special Enforcement Unit, 21 Grand Street, Hartford, CT 06106, Telephone (860) 541-3403 within 180 days of the alleged violation by submitting a notarized complaint and/or the Boston Regional Office of FHEO, U.S. Department of Housing and Urban Development, Thomas P. O'Neill, Jr. Federal Building, 10 Causeway Street, Room 321, Boston, MA 02222-1092, Telephone (617) 994-8300 or 1-800-827-5005, TTY (617) 565-5453. A complaint may be filed with HUD within one year after an alleged violation. Additionally, an individual may file suit, at his/her expense, in Federal District Court or State Court within two years of an alleged violation. If the individual cannot afford an attorney, the Court may appoint one. A suit can be brought even after filing a complaint, if the complaining party has not signed a conciliation agreement and an Administrative Law Judge has not started a hearing. A court may award actual and punitive damages and attorney's fees and costs.

A copy of this policy statement will be given annually to all Town of Branford employees and they are expected to fully comply with it. In addition, a copy will be posted throughout the Town of Branford.

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE by contacting Harry Smith, 1019 Main Street, Branford, CT 06405, 203-488-1255.

Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Higgins to approve the following ADA Notice:

Town of Branford
ADA NOTICE

The Town of Branford does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. The Town of Branford does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to the Town of Branford's designated ADA Compliance Coordinator.

Name: Diane Sconziano

Title: Human Resources Director

Office Address: 1019 Main Street, Branford, CT 06405

Phone Number Voice: 203-315-0613

Email Address: dsconziano@branford-ct.gov

Days/Hours Available: Monday-Friday 8:30 to 4:30

Individuals who need auxiliary aids for effective communication in programs and services of the Town of Branford are invited to make their needs and preferences known to the ADA Compliance Coordinator.

This notice is available in large print, on audio tape, and in Braille, from the ADA Compliance Coordinator.
Seconded by Selectman Ahern. Vote unanimous.

Motion made by Selectman Ahern to approve the following Policy Statement:

Town of Branford
AFFIRMATIVE ACTION POLICY STATEMENT

As First Selectman of the Town of Branford, I recognize the need for Affirmative Action and I pledge my commitment to undertake positive actions to overcome the present effects of past practices or barriers to equal employment opportunity and to achieve the full and fair participation of minorities, women, people with disabilities, older persons, and all other protected groups found to be underutilized in the Town of Branford's work force or affected by policies having an adverse impact. In the spirit of Executive Order 11, signed by Governor Ella Grasso November 21, 1975, and Executive Order 9, signed by Governor William A. O'Neill on January 3, 1984, I further state that this Town of Canton will comply with the anti-discrimination provisions of the state and federal laws and regulations listed at the end of this section.

I recognize the hiring difficulties experienced by minorities, people with disabilities and by many older persons and, where appropriate, I have set goals to overcome the present effects of past discrimination, if any, to achieve the full and fair utilization of such persons in the work force. I further pledge that the Town of Branford will affirmatively provide services and programs in a fair and impartial manner.

Where adverse impact is identified, the Town of Branford will: (1) review its personnel policies and procedures to ensure that barriers, which unnecessarily exclude protected classes and practices, which have an illegal discriminatory impact, are identified and eliminated; (2) explore alternative approaches to employ minorities and members of protected classes; (3) administer all terms, conditions, privileges and benefits of the employment process in an equitable manner; and (4) establish procedures for the extra effort that may be necessary to ensure that the recruitment and hiring of protected group members reflect their availability in the job market.

It is the policy of the Town of Branford to provide equal employment opportunities without consideration of race, color, religion, age, sex, marital status, national origin, genetic information, past/present history of mental disability, ancestry, mental retardation, learning or physical disabilities including but, not limited to blindness, sexual orientation, political belief or criminal record, unless the provisions of Section 46a-60(b), 46a-80(b) and 46a-81(b) of the Connecticut General Statutes are controlling or there is a bonafide occupational qualification excluding persons in one of the above protected groups. This policy applies to all aspects of the employer/employee relationship including, but not limited to, recruitment, hiring, referrals, classifying, advertising, training, upgrading, promotion, benefits, compensation, discipline, layoff and terminations.

The Town of Branford will implement, monitor and enforce this Affirmative Action Policy Statement in conjunction with the applicable federal and state laws, regulations and executive orders listed below: 13th, 14th and 15th Amendments of the United States Constitution, Civil Rights Act of 1866, 1870, 1871, Equal Pay Act of 1963, Title VI and VII of the 1964 United States Civil Rights Act, presidential Executive Orders 11246, amended by 11375, (Nondiscrimination under federal contracts), Act 1 Section 1 and 20 of the Connecticut Constitution, Governor Grasso's Executive Order Number 11, Governor O'Neill Executive Order Number 9, the Connecticut Fair Employment Practices Law (46a-63-64). Discrimination against Criminal Offenders (46a-80). Connecticut General Statutes, Connecticut Code of Fair Accommodations Law (46-63-64), definition of Blind (46a-51 (1)), definition of Physically Disabled (46a-51 (15)), definition of Mentally Retarded (46a-51 (13)), cooperation with the Commission of Human Rights and Opportunities (46a-77), Sexual Harassment (46-60-(a) Connecticut Credit Discrimination

Law (360436 through 439), Title I of the State and the Local Fiscal Assistance Act of 1972 and the Americans with Disabilities Act of 1992.

This policy statement will be given annually to all Town of Branford employees and will also be posted throughout the Town of Branford. I also expect each supplier, union, consultant and other entity (s) with which we do business to comply with all applicable State and Federal Equal Opportunity laws and regulations. The Town of Branford will not knowingly do business with any entity debarred from participation in any federal or state program or found to be in violation of any state or federal anti-discrimination law.

I have assigned the responsibility to achieve the successful implementation of our goals and objectives to Diane Sconziano, Human Resources Director, 203-315-0613, dsconziano@branford-ct.gov.

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE FROM THE ADA-504 COORDINATOR BY CALLING DIANE SCONZIANO, 203-315-0613.

Seconded by Selectman Higgins. Vote unanimous.

Motion made by Selectman Higgins to approve the following proclamation:

**Arbor Day
April 28, 2017**

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and;

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and;

WHEREAS, Arbor Day is now observed throughout the nations and the world, and;

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and;

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and;

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and;

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

Now, therefore, We, the Board of Selectmen, of the Town of Branford, do hereby proclaim April 28, 2017 as Arbor Day in the Town of Branford and urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Seconded by Selectman Ahern. Vote unanimous.

Reappointments:

Board of Fire Commissioners

Madeline Clem and Al Carfora terms to expire January 31, 2020. Motion made by Selectman Ahern to approve the reappointments. Seconded by Selectman Higgins. Vote unanimous.

Appointments:

Parker Memorial Park Commission

Edward Esborn to fill a vacancy left by Al Russell term to expire December 31, 2019. Motion made by Selectman Ahern to approve the appointments. Seconded by Selectman Higgins. Vote unanimous.

Branford Green Committee

Patricia Sanders to fill a vacancy left by Winnifred Judge term to expire May 31, 2018. Motion made by Selectman Ahern to approve the appointment. Seconded by Selectman Higgins. Vote unanimous.

Veterans Parade Committee

Mary Grande to fill a vacancy left by Richard Hansen term to expire September 30, 2018.

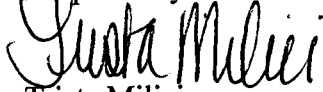
Ray Ingraham to fill a vacancy left by Paul Hannaway term to expire September 30, 2018. Motion made by Selectman Ahern to approve the appointments. Seconded by Selectman Higgins. Vote unanimous.

Correspondence - none

Other - none

Motion made by Selectman Ahern to adjourn the meeting at 6:38 p.m. Seconded by Selectman Higgins. Vote unanimous.

Respectfully Submitted,



Trista Milici

Clerk