

**TOWN OF BRANFORD
REPRESENTATIVE TOWN MEETING
LEGAL NOTICE AND CALL—SPECIAL “REMOTE” MEETING
April 22, 2020 7:00 p.m.**

Members of the public may attend the meeting via by telephone or by other technology by Zoom hyperlink. Choose your device option below and you will be prompted to enter the meeting I.D. 982 160 566 and password 953358. There is no “participant I.D.”—when asked, press the pound sign “#” to enter the remote meeting. The meeting will also be live streamed by BCTV on Comcast Channel 20 and BCTV Facebook live.

This remote meeting will follow guidelines set forth in the Governor’s Executive Order 7B “Suspension of In-Person Open Meeting Requirements,” excerpt attached.

To Join Zoom Meeting:

1. By Computer Audio & Video

<https://zoom.us/j/982160566?pwd=MUdudE5pbFRBVnBEOFI3RzRxeG0rZz09>

Meeting ID: 982 160 566

Password: 953358

2. By One tap mobile (Camera & Audio)

+13126266799, ,982160566# US (Chicago)

+16465588656, ,982160566# US (New York)

3. By Dial by location (Audio Only)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

A remote special meeting of the RTM will be convened on Wednesday April 22, 2020 at 7:00 p.m. to consider and act up on the following matters:

1. Review of the Governor’s Executive Order 7B regarding conducting remote meetings
2. Roll Call.

3. The following items will be referred to a future meeting:

- a. To consider, and if appropriate, adopt a uniform procedure for Ordinance enforcement pursuant to Town Meeting rules (A236-4.19d)
- b. To consider and if appropriate, adopt a blight ordinance.
- c. To consider, and if appropriate, approve an appropriation in the Coastal Resiliency Fund for the purchase of a property and structure located at 17 Creek Court and act on the resolution:
- d. Citizens petitions:
 - An examination of the possible improprieties occurring during Costco's Inland Wetlands application and independent peer review, along with an examination of the investigation into the matter promised by the First Selectman.
 - To consider the possibility of public health hazards emanating from the demolition debris piles at the former Atlantic Wire site.
 - An examination of the role of the Town of Branford in the removal of an earthen berm by the Branford Land Trust at Jarvis creek and the potential safety hazards from the resulting flooding of Route 146.
 - An examination of the 77-acre Tabor Property, its current use and the development of a master plan.
 - An examination of past and present living conditions at Parkside Village housing complex and its oversight by the Branford Housing Authority.

4. To consider and if appropriate approve Sanitary Sewer assessment easement and subordination agreement for property at 497 East Main Street.

5. To consider and if appropriate adopt a resolution on tax deferment due to COVID-19 crisis.

6. To receive communications with respect to and consider and act upon a resolution entitled:

"RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$6.8 MILLION TOWN OF BRANFORD GENERAL OBLIGATION REFUNDING BONDS, AUTHORIZING COMBINING INTO ONE ISSUE AND MAKING DETERMINATIONS WITH THE REFUNDING BONDS ANY OTHER AUTHORIZED BUT UNISSUED BONDS OF THE TOWN, AND AUTHORIZING AGREEMENTS FOR THE INVESTMENT OF REFUNDING ESCROW AND ITS REINVESTMENT OVER ITS TERM."

The full text of the Resolution is attached and is on file in the office of the Town Clerk.

7. To consider, and if appropriate, approve a request from the Board of Police Commissioners for the following budget transfer:

From:	10142010-517000	Regular Salaries	(\$15,905)
To:	10142010-579300	Furniture	15,905

8. To consider, and if appropriate, approve a request from the Board of Recreation for the following budget transfer:

From:	10145010-544100	Utilities-Water, Gas, Electric	(\$6,000)
To:	10145010-544300	Purchase Services – R & M	6,000

9. To receive communications with respect to and consider and act upon a resolution entitled:

“RESOLUTION APPROPRIATING \$500,000 FOR TOWN WIDE DRAINAGE IMPROVEMENTS (2020) AND AUTHORIZING THE ISSUE OF \$500,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE”

The full text of the Resolution is attached and is on file in the office of the Town Clerk.

10. To receive communications with respect to and consider and act upon a resolution entitled:

“RESOLUTION APPROPRIATING \$350,000 FOR STONY CREEK WHARF RECONSTRUCTION (2020) AND AUTHORIZING THE ISSUE OF \$350,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE”

The full text of the Resolution is attached and is on file in the office of the Town Clerk.

11. To receive communications with respect to and consider and act upon a resolution entitled:

“RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$5,245,000 FOR THE BLACKSTONE MEMORIAL LIBRARY RENOVATION (2018) AND AUTHORIZING THE ISSUE OF \$5,245,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE”

(The purpose of the amendment is to increase the appropriation and bond authorization from \$5,245,000 to \$5,745,000, and ratify, confirm and adopt all prior authorizations and resolutions in connection therewith).

The full text of the Resolution is attached and is on file in the office of the Town Clerk.

12. To receive communications with respect to and consider and act upon a resolution entitled:

“RESOLUTION AMENDING A RESOLUTION APPROPRIATING \$6,000,000 FOR THE TOWN OF BRANFORD TOWN-WIDE ENERGY CONSERVATION AND MODERNIZATION PROGRAM AND AUTHORIZING THE ISSUE OF \$6,000,000 BOND, LEASE OR OTHER FINANCING OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE”

(The purpose of the amendment is to increase the appropriation and bond authorization from \$6,000,000 to \$6,200,000, and ratify, confirm and adopt all prior authorizations and resolutions in connection therewith).

The full text of the Resolution is attached and is on file in the office of the Town Clerk.

13. To consider, and if appropriate, approve a request from the Finance Director for the following budget transfer and resolution:

General Fund

From:	10190000-480296	Fund Balance	(\$79,607)
To:	10150000-599121 (New Account)	Transfer Out Municipal Facilities Fund	79,607

Municipal Facilities Fund

From:	72090000-480296-18503	Transfer In	(\$79,607)
To:	72041020-579400-18503 (New Account)	Energy Performance Contracts	79,607

RESOLVED: That the RTM approves transfers out \$79,607 to the Municipal Facilities Fund to fund turf field lighting projects through the energy conservation project. This transfer out will be funded from undesignated fund balance and increase the Fiscal year 2020 General Fund budget from \$115,519,387 to \$115,598,994.

14. To consider, and if appropriate, approve a request from the Finance Director for the following budget transfer and resolution:

Transfers from Fund Balance

<u>From</u>		
101-90000-480296	Fund Balance	\$309,950
<u>To:</u>		
101-50000-599110	Transfer Out Capital Fund (Supply Pond Dam)	20,000
	Transfer Out Capital Fund (Parker Park)	95,000
	Transfer Out Capital Fund (Pisgah Brook)	39,950
101-41190-544300	Purchased Services (IT)	38,394
101-41190-579150	Technology Acquisitions	47,653
101-41190-579200	Software	68,953
	Total	\$309,950

RESOLVED: That the RTM appropriates from undesignated fund balance of \$309,950 to fund various capital items and technology needs. This appropriation increase the Fiscal year 2020 General Fund budget from \$115,598,894 to \$115,908,944.

15. To consider, and if appropriate, approve a request from the Finance Director for the following budget transfer:

General Fund Contingency Transfer

<u>From</u>		
101-49040-588802	Contingency	\$50,000
<u>To:</u>		
101-50000-599110	Transfer Out Capital Fund (Resource Inventory)	10,000
	Transfer Out Capital Fund (Phone System)	40,000
	Total	\$50,000

This transfer will enable the town to implement a phone system upgrade and allow the Conservation Commission to initiate a natural resource inventory.

16. To consider, and if appropriate, approve a request from the Finance Director for the following budget transfer:

Fund 720

<u>From</u>		
720441020-579500-17322	Restroom Trailer	\$22,079
<u>To:</u>		
New Project	Stony Creek Dock	22,079

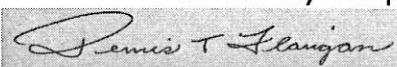
17. To consider, and if appropriate, approve a request from the Finance Director for the following budget transfer:

Fund 700

<u>From</u>		
70045030-579250-12322	Parker Park Mower	\$200
70043050-579500-07313	DEP Long Island Study (Engineering)	172
70043050-533960-08316	Tabor DPW/Design (Engineering)	1,893
70042040-579410-09311	FD Exhaust (Fire)	3,067
70042040-579250-13301	Generators – (Fire)	1,531
	Total	\$6,863
<u>To:</u>		
70045010-579400-20231	Field Renovation (Recreation)	\$200
70043050-579400-17318	Supply Pond Dam Repairs (Engineering)	2,065
70042040-579250-20308	Cardiac Monitors (Fire)	4,598
	Total	\$6,863

18. Adjournment.

Dated this 14th day of April, 2020



Dennis T. Flanigan, RTM Moderator

STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7B

Item #1

**PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC
AND RESPONSE – FURTHER SUSPENSION OR MODIFICATION OF STATUTES**

WHEREAS, on March 10, 2020, I issued declarations of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed spread in Connecticut; and

**Excerpt regarding
remote meetings:**

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT:**

1. **Suspension of In-Person Open Meeting Requirements.** Sections 1-206, 1-225, and 1-226 of the Connecticut General Statutes, and any open meeting provision of any municipal charter, ordinance, or regulation that conflicts with this order, are suspended to the extent necessary to permit any public agency to meet and take such actions authorized by the law without permitting or requiring in-person, public access to such meetings, and to hold such meetings or proceedings remotely by conference call, videoconference or other technology, provided that: 1) the public has the ability to view or listen to each meeting or proceeding in real time, by telephone, video, or other technology; 2) any such meeting or proceeding is recorded or transcribed, and such recording or transcript shall be posted on the agency's website within seven (7) days of the meeting or proceeding, and made available within a reasonable time in the agency's office; 3) the required notice and agenda for each meeting or proceeding is posted on the agency's website and shall include information about how the meeting will be conducted and how the public can access it; 4) any materials relevant to matters on the agenda, including but not limited to materials related to specific applications, if applicable, shall be submitted to the agency a minimum of twenty four (24) hours prior and posted to the agency's website for public inspection prior to, during, and after the meeting, and any exhibits to be submitted by members of the public shall, to the extent feasible, also be submitted to the agency a minimum of twenty-four (24) hours prior to the meeting and posted to the agency's website for public inspection prior to, during, and after the meeting; and 5) all speakers taking part in any such meeting or proceeding shall clearly state their name and title, if applicable, before speaking on each occasion that they speak.

Wayne N. Cooke

612 East Main Street
Branford, CT 06405
203-815-5796
wncooke@yahoo.com

March 10, 2020

Branford RTM
c/o Dennis Flanigan, Moderator
Branford Town Hall 1019 Main Street
Branford, CT 06405

Dear Branford RTM,

In light of increasing citizen concern that in excess of \$45 million dollars--generated by over taxation--is being retained by the Town in the fund balance and health insurance accounts, a detailed explanation of the rationale behind this is requested.

While it is understood that it is advisable to hold some amount in the fund balance, it is our further understanding that this need not exceed ten per cent of the town's budget, or about \$11 million dollars. In addition, the reasoning behind approximately \$20 million dollars sitting in the health insurance account is also unclear.

It is asked that this matter be placed on the RTM agenda and sent to the appropriate committee for a full examination of why taxpayer money is being handled in this manner.

Sincerely,

Wayne N. Cooke

Wayne N. Cooke

Wayne N. Cooke

612 East Main Street
Branford, CT 06405
203-815-5796
wncooke@yahoo.com

March 10, 2020

Branford RTM
c/o Dennis Flanigan, Moderator
Branford Town Hall 1019 Main Street
Branford, CT 06405

Dear Branford RTM,

At a prior meeting of the RTM Ways and Means Committee, in which an additional \$150,000 was requested for legal fees, no committee member in attendance knew-- nor were any inquiries made--as to what services constituted the amount. In fact, if not for citizen input, the entire \$150,000 would have been approved by the committee with no questions asked and with no member knowing what legal services they had just approved funding for.

Furthermore, in direct violation of RTM rules and the town charter that funding must first be appropriated for any expense, the \$150,000 requested had already been spent and was being submitted for payment after the fact.

In light of this lack of due diligence and violations of the charter--and the additional revelation at the meeting that only the first selectman reviews and approves the town's legal invoices--it is asked that the RTM send this matter to committee and establish a procedure by which all legal fees are examined and understood by your body before they are approved for payment.

Sincerely,

Wayne N. Cooke

Wayne N. Cooke

Wayne N. Cooke

612 East Main Street
Branford, CT 06405
203-815-5796

March 10, 2020

Dennis Flanigan, Moderator
Branford RTM
Branford Town Hall 1019 Main Street
Branford, CT 06405

Dear Branford RTM,

It is asked that the following item be placed on the RTM agenda and sent to the appropriate committee:

“An examination of Connecticut General Statute 8-30g, the history of its use in Branford, and possible strategies for preventing its misuse now and in the future.”

Thank you for your consideration of this request.

Sincerely,

Wayne N. Cooke

Wayne N. Cooke

Wayne N. Cooke

612 East Main Street
Branford, CT 06405
203-815-5796
wncooke@yahoo.com

March 10, 2020

Branford RTM
c/o Dennis Flanigan, Moderator
Branford Town Hall 1019 Main Street
Branford, CT 06405

Dear Branford RTM,

It is asked that the following item be placed on the RTM agenda and sent to the appropriate committee:

“An examination of the targeted and unauthorized removal of “TOWN HALL CORRUPT”. TOWN HALL FRAUD” and “FIGHTING FOR A FAIR PROCESS” signs from state highways by the Public Works Department.”

Sincerely,

Wayne N. Cooke

Wayne N. Cooke

Wayne N. Cooke

612 East Main Street
Branford, CT 06405
203-815-5796
wncooke@yahoo.com

March 10, 2020

Dennis Flanigan, Moderator
Branford RTM
Branford Town Hall 1019 Main Street
Branford, CT 06405

Dear Branford RTM,

“An examination of the backroom manipulation of Branford’s Plan of Conservation and Development, the steering of development by Town Hall, and the preferential creation of an all-inclusive “Superzone” for selected properties at Exit 53.”

Sincerely,

Wayne N. Cooke

Wayne N. Cooke

Wayne N. Cooke

612 East Main Street
Branford, CT 06405
203-815-5796

March 10, 2020

Branford RTM
c/o Dennis Flanigan, Moderator
Branford Town Hall 1019 Main Street
Branford, CT 06405

Dear Branford RTM,

Enclosed is a copy of an article "Fighting 'Small Town' Corruption: How to Obtain Accountability, Oversight, and Transparency" published by the Center for the Advancement of Public Integrity.

In light of what an increasing number of citizens consider to be the occurrence of fraud, corruption, and cover-up in Branford Town Hall, it is asked that this article be referred to the RTM Rules & Ordinance Committee for thorough consideration and the subsequent establishment of an improved Code of Ethics.

Sincerely,

Wayne N. Cooke

Wayne N. Cooke

BOARD OF SELECTMEN

BRANFORD, CONNECTICUT



JAMES B. COSGROVE
First Selectman

RAYMOND E. DUNBAR, JR.
JOSEPH E. HIGGINS, JR.

1019 MAIN STREET
POST OFFICE BOX 150
BRANFORD, CT 06405
(203) 488-8394
FAX: 481-5561
www.branford-ct.gov

DATE: March 14, 2020

TO: Dennis Flanigan, RTM Moderator

FROM: James B. Cosgrove, First Selectman 

RE: RTM Agenda

At the Board of Selectmen's meeting held on March 4, 2020, the board approved a recommendation by the Solid Waste Management Commission to approve the attached resolution to continue Branford's participation in the Haz Waste Central program for an additional three years.

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

South Central Connecticut Regional Water Authority
90 Sargent Drive, New Haven, Connecticut 06511-5966 203-562-4020
<http://www.rwater.com>

January 24, 2020

Mr. James Cosgrove, First Selectman
Branford Town Hall
1019 Main Street
Branford, CT 06405

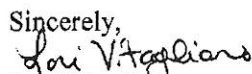
Dear First Selectman Cosgrove:

Since 1990, Branford has provided its residents with a safe way to properly dispose of household chemicals by being a member of the HazWaste Central (HWC) program. HWC is Connecticut's first permanent household hazardous waste collection center and is located at the Regional Water Authority's headquarters in New Haven. It has served 16 communities, including Branford, for almost 30 years.

Branford's current commitment resolution to participate in HWC expires June 30, 2020. A new three-year commitment resolution for July 1, 2020 through June 30, 2023 is needed to ensure Branford residents can continue to bring their household hazardous waste to the facility. Please present the enclosed resolution at your next Representative Town meeting for approval, and have the resolution signed and certified by the Town Clerk. Kindly return one copy to the HWC office, 90 Sargent Drive, New Haven and file a certified copy in your Town Clerk's office.

The Municipal Planning Committee (MPC) of HWC is comprised of a representative from each member community. The MPC meets to discuss and act on HWC operations. The representative on record for Branford needs to be updated. Please appoint a new MPC representative and MPC alternate to represent Branford. The appointment letter should also be sent to the HWC office.

Please let me know if you have any questions. I can be reached at 203-401-2720 or lvitalgiano@rwater.com.

Sincerely,

Lori Vitagliano

Government and Public Relations Specialist

cc: Larry Bingaman, RWA President & Chief Executive Officer
Mario Ricozzi, RWA RPB Representative

RESOLUTION

Town of BRANFORD

CONFIRMING COMMITMENT AND PARTICIPATION IN A REGIONAL
HOUSEHOLD HAZARDOUS WASTE COLLECTION CENTER

WHEREAS, the South Central Connecticut Regional Water Authority, as agent for the South Central Regional Council of Governments and participating municipalities, has undertaken the permitting, construction and operation of a regional facility for the collection of household hazardous waste and conditionally exempt small quantity generator business waste at its headquarters at 90 Sargent Drive in New Haven; and

WHEREAS, the municipalities participating in the facility are able to have residents drop off their household hazardous wastes on Saturday mornings from 9 a.m. until noon, and conditionally exempt small quantity generators deliver business waste on Saturday mornings, by appointment from 7 a.m. to 8:30 a.m., from spring through fall for proper processing, transportation and disposal;

WHEREAS, the facility is owned, managed and operated under the supervision of the South Central Connecticut Regional Water Authority for the benefit of the participating municipalities;

NOW, THEREFORE, BE IT RESOLVED BY THE Town OF Branford THAT:

The Town of Branford declares its commitment to continue participation in the regional household hazardous waste collection center for a minimum three-year period (July 1, 2020 through June 30, 2023), and confirms its intent to contribute financially for the operation, processing, transportation and disposal of household hazardous waste.

The Town of Branford authorizes its First Selectman to enter into this agreement with the South Central Connecticut Regional Water Authority for the operation of the facility. Such agreement will permit the Authority to act as its agent to maintain the facility, to contract with a vendor for the transportation and disposal of the hazardous wastes, to receive financial support from grant sources, to enter into agreements with other municipalities and to operate the facility.

Invoicing will be based on a two part formula:

1. Annual operational costs are based on the number of 1- and 2- family housing units in Branford, and
2. Annual transportation and waste disposal costs are prorated by residents' usage.

This resolution shall be effective July 1, 2020 through June 30, 2023.

I hereby certify that this is a true and correct copy of action taken by the Branford Representative Town Meeting, at its meeting held on _____.

Town of Branford:

Town Clerk

Date

TOWN OF BRANFORD
OFFICE OF THE TOWN ENGINEER
1019 MAIN STREET
POST OFFICE BOX 150
BRANFORD, CT 06405

Item #4

JOHN M. HOEFFERLE, PE, CFM
TOWN ENGINEER

Tel. 203-315-0606
Fax: 203-315-2188

February 28th, 2020

Mr. Dennis Flanagan
RTM Moderator

Re: 497 East Main Street Sanitary Sewer Easement Agreement and Subordination Agreement

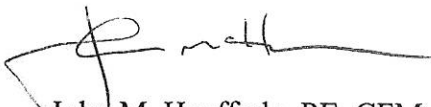
Dear Moderator Flanagan:

Enclosed please find sanitary sewer easement agreement documents and a subordination agreement for a portion of 497 East Main Street for your consideration and approval. The sanitary sewer was installed in the 1970s without the benefit of an easement. A land transaction and environmental concerns are resulting in an Environmental Land Use Restriction (ELUR) to be placed by the DEEP on the property. In turn this has prompted the owner to grant an easement over the existing sewer. By accepting the easement, the town will also need to subordinate to the ELUR and the requirements set forth in the restriction.

The easement and subordination agreements have been reviewed by the Water Pollution Control Authority's attorney. The WPCA also reviewed both at a meeting on February 11th and has voted to enter into both.

Thank you for taking the time to review, and please contact me with any questions or comments.

Very truly yours,

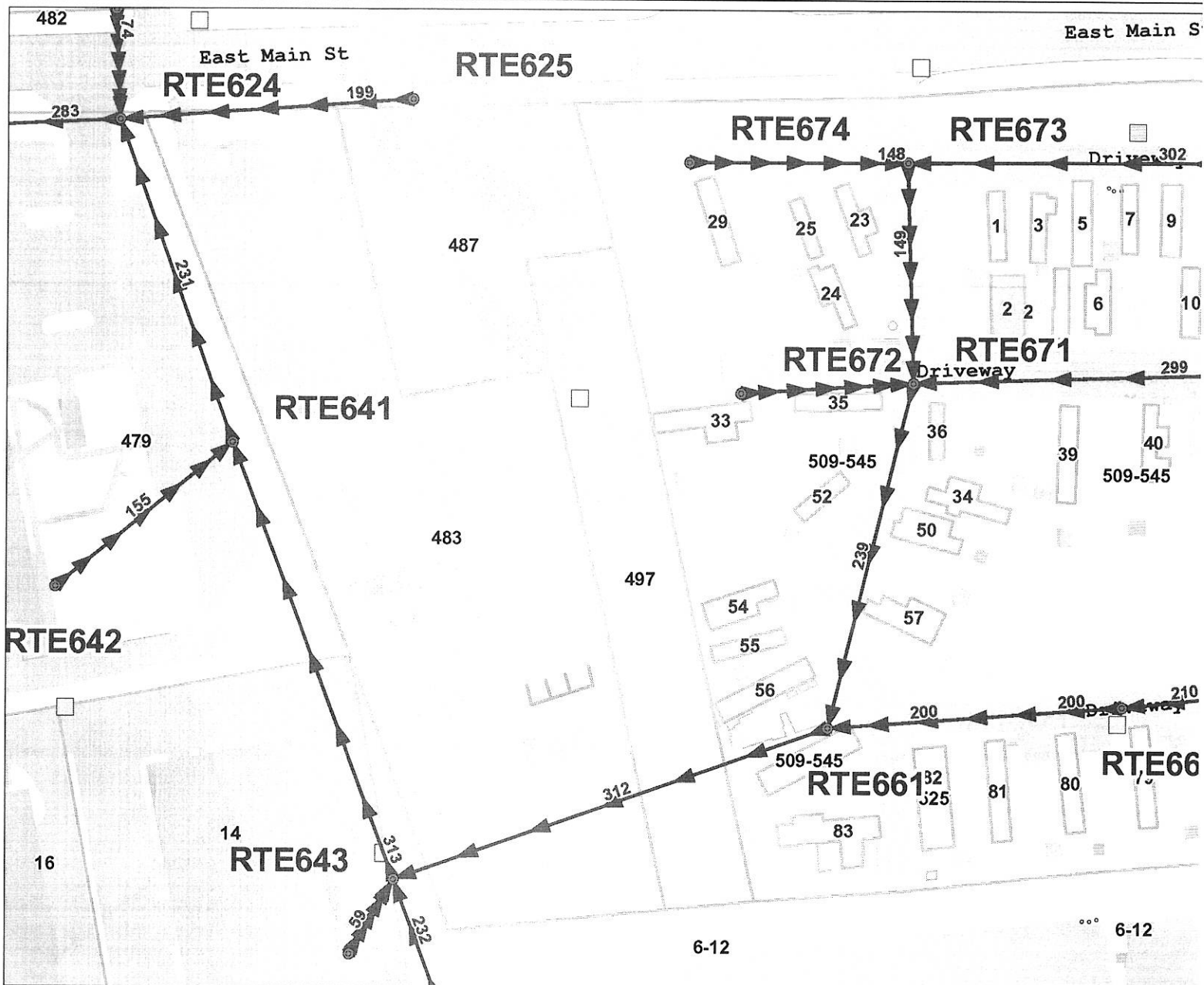


John M. Hoefflerle, PE, CFM
Town Engineer

Enclosure

cc: Lisa Arpin, Town Clerk
Anthony Alfone – Chair, Administrative Services

Town of Branford, CT

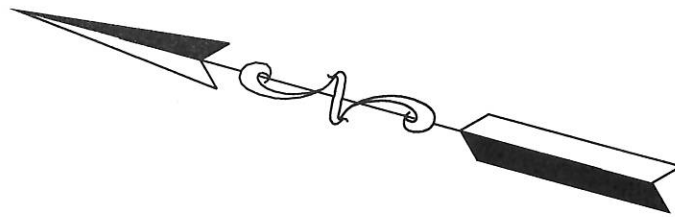


200 0 100 200
Feet

1: 1,200



This product is for
prepared for, or be su
Users of this informat
information sources to



CHD MONUMENT
FOUND

126.18'

S89°23'37"W

14 FOOT RIGHT OF WAY—
(SEE NOTE #3)

IRON PIPE
FOUND ON LINE
(SEE DETAIL A)

S13°01'07"E

O.H.W.

O.H.W.

O.H.W.

S13°01'07"E

FRONTIER
6471

A I N S T R E E T

T. ROUTE 1)

O.H.W.
O.H.W.

METES AND BOUNDS DESCRIPTION

CE FILE NO. 2018.046

DATE: February 17, 2020

GRANTOR: 497 East Main Street, LLC
GRANTEE: Town of Branford Water Pollution Control Authority
PARCEL: Proposed Sewer Easement
AREA: 1,206 Square Feet

Proposed Sewer Easement over a certain parcel of land situated in the Town of Branford, County of New Haven, and State of Connecticut, known as #497 East Main Street, being more particularly bounded and described as follows:

Beginning at a point on the Easterly property line at property known as #497 East Main Street, said point being 94.26 feet North $13^{\circ} - 01' - 07''$ West of the Southeasterly corner of said property;

Thence running over said property South $70^{\circ} - 40' - 27''$ West, 60.33 feet to a point;

Thence running along land now or formerly of Marc-Anthony Massaro North $13^{\circ} - 01' - 07''$ West, 20.12 feet to a point;

Thence running over said property North $70^{\circ} - 40' - 27''$ East, 60.33 feet to a point;

Thence running along land now or formerly of 509 Branford, LLC South $13^{\circ} - 01' - 07''$ East, 20.12 feet to the point of beginning.

The hereinbefore described parcel of land is more particularly bounded and depicted on a map entitled: "Proposed Sewer Easement, Property Located at #497 East Main Street, Branford, Connecticut, Prepared for 497 East Main Street LLC, Easement Map, Exhibit C of the Declaration of Environmental Land Use Restriction and Grant of Easement"; Scale: 1" = 20'; Dated: 10/26/18; Revised: 2/27/20; and prepared by Criscuolo Engineering LLC.

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT is made as of this ____ day of November, 2019 by THE TOWN OF BRANFORD SEWER AUTHORITY, a municipal Authority organized pursuant to the laws of the State of Connecticut with its principal place of business located at 75 Block Island Road, Branford, Connecticut 06405, its successors and assigns (the "**Town**") and 497 EAST MAIN STREET, LLC, a limited liability company with its principal place of business at 127 Crestwood Drive, Guilford, Connecticut 06437.

WITNESSETH:

WHEREAS, 497 East Main Street, LLC is the current owner of certain real property located at 497 East Main Street, Branford, Connecticut (the "**Property**") (as more particularly described on **Schedule A** attached hereto), having acquired title to the Property from Ludco Properties, L.L.C. by way of a Warranty Deed dated November 27, 2018 and recorded on November 28, 2019 in Volume 1252, Page 485 of the Branford Land Records;

WHEREAS, the November 27, 2018 Warranty Deed states the Property is subject to a certain Sewer Easement, dated October 7, 1974 and recorded on February 24, 1975 in Volume 266, Page 328, by and between the Town and Konn, Incorporated, a former owner of the Property (the "**Easement**");

WHEREAS, 497 East Main Street, LLC has elected to record an Environmental Land Use Restriction ("**ELUR**") on the Branford Land Records;

WHEREAS, Conn. Gen. Statute § 22a-133o and the Connecticut Department of Energy and Environmental Protection's ("**DEEP**") implementing regulations require all property encumbrances to be automatically and irrevocably subordinated to any ELUR recorded on the land records; and

WHEREAS, the Town and 497 East Main Street, LLC have agreed to make the Easement subject to and automatically and irrevocably subordinate to the terms and restrictions of the ELUR in accordance with the terms of this Subordination Agreement.

NOW, THEREFORE, in consideration of the foregoing Recitals, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned hereby agrees as follows:

1. The interests described above in the Sewer Easement and all estate, right, title and interest of the Town in and to said interests are hereby made subject to and subordinate to the terms and restrictions of the ELUR, as the same may be amended, extended, modified or supplemented from time to time, with the same force and effect as though the ELUR was executed, delivered and recorded on the land records of Branford, Connecticut, prior to the execution and delivery of the Easement.

Notary Public
My Commission Expires: _____

SCHEDULE A

All that certain piece or parcel of land, with the buildings and other improvements thereon, situated in the Town of Branford, County of New Haven, State of Connecticut, known as No. 497 East Main Street, al so sometimes known as No. 5 Virginia Lane, Bounded and described as follows:

- NORTH: by land now or formerly of Vincenzo Polverari, 60 feet;
- EAST: by land now or formerly of the Estate of William Linsley, 457 feet;
- SOUTH: by land now or formerly of Harriet Linsley, 60 feet; and
- WEST: by land now or formerly of Vincenzo Polverari, 457 feet.

Together with the right, title and interest in and to a driveway along the East side of the land now or formerly of Vincenzo Polverari from the above described land for a distance of 110 feet more or less (0 the Boston Post Road, as described in Volume 133 on Page 73 of the Branford Land Records and as further described in a certain agreement between said Boni A. Paul and Vincenzo Polverari dated February 21, 1953 and recorded in Volume 141 on Page 261 of said Land Records, and Together with all rights of way as appear of record.

BRANFORD REPRESENTATIVE TOWN MEETING RESOLUTION RE: TAX DEFERMENT PROGRAM

WHEREAS, on March 10, 2020, the Governor of the State of Connecticut ("Governor") declared a public health emergency and civil preparedness emergency for the State of Connecticut, pursuant to Connecticut General Statutes Sections 19a-131 and 28-9, in response to the global pandemic of COVID-19 disease associated with a novel coronavirus that is currently affecting multiple countries and states; and

WHEREAS, in response to the issuance of declarations of a public health emergency and civil preparedness emergency by the Governor he has issued a series of Executive Orders setting for the law governing the conduct of the business of state and municipal government during the period of the emergency;

WHEREAS, on April 1, 2020, the Governor issued Executive Order No. 7S ("EO-7S"), requiring municipalities, by a vote of its legislative body, to participate in a deferment or low interest rate program; and

WHEREAS, participation in a deferment program is in the best interest of the Town of Branford.

NOW, THEREFORE, BE IT RESOLVED by the Representative Town Meeting of the Town of Branford as follows:

1. The Town of Branford shall participate in a Deferment Program to offer support to taxpayers during the COVID-19 global pandemic as required under EO-7S.
2. For taxes due during the period between March 10, 2020, the date that Governor Lamont declared a public health and civil preparedness emergency, through and including July 1, 2020 (the "Deferment Period"), taxpayers shall be entitled to defer the deadline for payment of such taxes for a period not to exceed ninety (90) days from the tax due date; provided, however, such deferment shall not apply to taxes already past due during the Deferment Period.
3. The deferment of the deadline to pay taxes shall apply to any taxes on real property, personal property or motor vehicles, sewer and assessments from the time such Taxes first became due and payable.
4. All taxpayers, businesses, nonprofits, and residents shall be eligible to participate in the deferment program.

Dated this ____ day of April, 2020.

Item #5

STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7S

**PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND
RESPONSE – SAFE STORES, RELIEF FOR POLICYHOLDERS, TAXPAYERS, AND
TENANTS**

WHEREAS, on March 10, 2020, I issued a declaration of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed spread in Connecticut; and

WHEREAS, pursuant to such declaration, I have issued seventeen (17) executive orders to suspend or modify statutes and to take other actions necessary to protect public health and safety and to mitigate the effects of the COVID-19 pandemic; and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, the risk of severe illness and death from COVID-19 appears to be higher for individuals who are 60 years of age or older and for those who have chronic health conditions; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention and the Connecticut Department of Public Health recommend implementation of community mitigation strategies to increase containment of the virus and to slow transmission of the virus, including cancellation of gatherings of ten people or more and social distancing in smaller gatherings; and

WHEREAS, my Executive Order No. 7N imposed certain safety restrictions and mandates on retail establishments in order to limit the spread of COVID-19 among customers, employees, and others entering such establishments; and

WHEREAS, there exists a compelling state interest in a consistent and easily understandable statewide approach to reducing the risk of transmission of COVID-19 among customers, staff, and other persons entering retail establishments, to limit community transmission of COVID-19 statewide, and to ensure the continuity of essential retail services and safe conduct of permitted non-essential retail services; and

WHEREAS, widespread financial hardship caused by the COVID-19 pandemic and necessary responses to it may prevent policyholders from timely payment of insurance premiums, and any resulting penalties, including cancellation or non-renewal of policies, create additional hardship, cause further damage to the economy, and endanger property and public health; and

WHEREAS, to encourage social distancing and protect public health and safety, my Executive Order 7D, dated March 16, 2020 and Executive Order 7G, dated March 19, 2020, closed bars and restaurants to all on-premise service of food and beverages; and

WHEREAS, many businesses may be experiencing lost revenue from the prohibition of on-premise food and beverage sales, which will hinder their ability to make timely payments to their creditors; and

WHEREAS, the State of Connecticut serves many elders and disabled individuals through multiple home and community based services waivers and Medicaid state plan benefits under the Medicaid program, including clients of the Department of Social Services, Department of Mental Health and Addiction Services and the Department of Developmental Services, who rely upon these home-based services to remain in their homes, avoid institutionalization and achieve maximum independence and functioning, and certain adjustments to the provision of services under these various waivers are necessary to ensure continuity of services and provide greater flexibility during COVID-19;

WHEREAS, the Centers for Medicare & Medicaid Services has advised the Department of Social Services that it may, on an expedited basis, and without providing a notice and comment period, take advantage of opportunities included in Appendix K to the Home and Community Based Waivers under Section 1915(c), as well as Sections 1115 (a) and 1135, of the Social Security Act, and also including, as applicable, amendments to Medicaid state plan provisions under other relevant provisions, such as sections 1915(i), 1915(k) and 1945 of the Social Security Act, in order to act quickly to address critical health needs of Medicaid beneficiaries and others in Connecticut in response to COVID-19; and

WHEREAS, Chapter 204 of the Connecticut General Statutes sets forth tax collection deadlines that will be difficult for residential and commercial property owners to meet in light of the significant job and economic losses experienced by Connecticut residents and businesses; and

WHEREAS, municipalities have sought relief on behalf of taxpayers who are struggling due to business operations being suspended or ceased, layoffs and other complications due to the COVID-19 pandemic; and

WHEREAS, certain municipal charters, ordinances or resolutions require critical town fiscal and budgetary decisions to be voted on by referendum or town meeting that create a risk to public health; and

WHEREAS, Sections 12-170aa(e) and (f) and Sections 12-129b and 12-129c of the Connecticut General Statutes require municipalities to conduct specific duties, including but not limited to processing tax relief claims that require in-person meetings and application filing requirements for taxpayers who have attained age sixty-five or over or are totally disabled; and

WHEREAS, Section 12-62 of the Connecticut General Statutes requires municipalities to conduct in-person inspections which will create increased risk of transmission of COVID-19; and

WHEREAS, Section 12-63c of the Connecticut General Statutes requires taxpayer filings based on information in Income and Expense Statements by Assessors, which were previously extended under Executive Order 7I, Section 15; and

WHEREAS, it will promote the public health and safety of all Connecticut residents to prohibit evictions during the public health and civil preparedness emergency; and

WHEREAS, the Judicial Branch has suspended all evictions and ejectment proceedings and Executive Order No. 7G suspended non-critical court operations;

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT**:

1. **Safe Stores Mandatory Statewide Rules, Amending Executive Order No. 7N, Sec. 3.** Effective upon the opening of each retail establishment for the first time on April 3, 2020, every retail establishment in the State of Connecticut shall take additional protective measures to reduce the risk of transmission of COVID-19 between and among customers, employees, and other persons such as delivery drivers or maintenance people. The Commissioner of Economic and Community Development, in consultation with the Commissioner of Public Health, shall issue mandatory statewide rules prescribing such additional protective measures no later than 11:59 p.m. on April 1, 2020. Such rules shall be mandatory throughout the state and shall supersede and preempt any current or future municipal order and shall supersede the requirements of Executive Order No. 7N, Sec. 3, providing that nothing in this order shall eliminate or reduce the requirements of Executive Order No. 7N, Sec. 3 regarding firearms transactions.
2. **60-Day Grace Period for Premium Payments, Policy Cancellations and Non-Renewals of Insurance Policies.** Beginning on April 1, 2020, for a period of sixty (60) calendar days ending on June 1, 2020, no insurer may, without a court order, lapse, terminate or cause to be forfeited a covered insurance policy because a covered policyholder does not pay a premium or interest or indebtedness on a premium under the policy that is due except as provided hereunder. This grace period shall apply to entities licensed or regulated by the Insurance Department including admitted and non-admitted insurance companies that provide any insurance coverage in Connecticut including, life, health, auto, property, casualty and other types of insurance as follows:
 - a. Insurers shall provide such 60-day grace period to individuals that have individual insurance policies who, as a result of the COVID-19 pandemic, were laid off, furloughed, or fired from employment or otherwise sustained a significant loss in revenue. Such individuals may be required to provide an affidavit or other statement acceptable to their insurance carrier, explaining that as a result of the COVID-19 pandemic they were laid

off, furloughed, or fired from employment or otherwise sustained a significant loss in revenue.

- b. Insurers shall provide such 60-day grace period to businesses that are group policyholders, have group insurance and/or have property/casualty insurance that were required to close or significantly reduce operations or suffered significant revenue loss as a result of the COVID-19 pandemic. Such businesses may be required to provide an affidavit or other statement acceptable to their insurance carriers, explaining that as a result of the COVID-19 pandemic, they were required to close or significantly reduce their business operations or suffered a significant revenue loss.
 - c. This 60-day grace period is not automatic. To be eligible, affected policyholders must provide the information outlined above in an affidavit or other statement acceptable to their insurance carriers. Carriers shall provide instructions on how policyholders are to provide such information.
 - d. Policyholders are advised that this grace period is not a waiver or forgiveness of the premium; it is only an extension of time in which to pay premiums. Policyholders are advised that they may be subject to restrictions if they are in receipt of state or federal stimulus funding relating to COVID-19.
 - e. Individuals or businesses that do not meet the criteria for the 60-day grace period set forth above, will need to contact their insurance carrier should they wish to discuss a premium deferral.
 - f. This order does not apply to self-funded health plans.
 - g. If a carrier has already provided a policyholder with a 60-day grace period for March and April 2020 premiums, or offers to provide a 60-day grace period for that time frame and it is accepted, the carrier will be deemed to have satisfied the requirements of this Executive Order with respect to that policyholder.
 - h. This 60-day grace period shall only apply to policyholders that were in good standing with their insurance carrier on March 12, 2020, and shall only apply to premiums due after the initial premium has been made to secure coverage.
 - i. This 60-day grace period applies only to cancellation or non-renewals attributed to a failure to pay premiums during the applicable 60-day grace period. If a policy is to be cancelled or non-renewed for any other allowable reason, the cancellation or non-renewal may be made pursuant to statutory notice requirements and for legally recognized reasons.
3. **Extension of 30-Day Period of Credit for Liquor Permittees.** Section 30-48(b) of the Connecticut General Statutes and Sections 30-6-A36 and 30-6-A37a of the Regulations of Connecticut State Agencies, which permit no more than a thirty-day period of credit, from

manufacturers, wholesalers, or others specified in such statute and regulations, is modified so that the maximum period of credit shall be ninety days after the date of delivery for all permittees prohibited from engaging in on-premise sales per Executive Order No. 7D, as amended by Executive Order No. 7H. The extension of credit shall not apply to permits that were delinquent at the time Executive Order No. 7D became effective on March 16, 2020. The period of delinquency shall begin on the ninety-first day after the date of delivery. All other requirements under the above-referenced statute and regulations shall apply, except as modified to reflect the increased period of credit, and the standard thirty-day period of credit shall continue to apply to all permittees whose businesses who were not engaging in on-premise sales at the time Executive Order No. 7D became effective. The credit extension shall remain in effect for any delivery made prior to the time Executive Order No. 7D expires or is terminated, or if extended or renewed, through any period of extension or renewal.

4. **Daily Payment of Certain Taxes Changed to Weekly.** Section 12-575 (h) of the Connecticut General Statutes is modified so that the licensee authorized to operate off-track betting in Connecticut shall file with the Department of Consumer Protection: a daily electronic report of the amount of wagers collected; and, no later than 12:00 PM every Tuesday, the tax filing and payment for the week preceding.
5. **Flexibility to Amend Medicaid Waivers and State Plan.** Section 17b-8 of the Connecticut General Statutes, to the extent that it requires: the submission of proposed applications to submit waivers or make certain amendments to Medicaid waivers or the Medicaid state plan (for such amendments that would have required a waiver but for the Affordable Care Act) to the joint standing committees having cognizance of matters relating to human services and appropriations; a 30-day public notice and comment period prior to submission of the proposed amendments to said committees; the holding of a public hearing by said committees; and the approval of the applications for amendment by said committees, is modified retroactive to the declaration of public health and civil preparedness emergency on March 10, 2020, to authorize the Commissioner of Social Services, on an expedited basis, to exercise the waiver flexibilities provided in response to COVID-19 and afforded by Appendix K to the Home and Community Based Waivers under Section 1915(c), as well as Sections 1115 (a) and 1135, of the Social Security Act and also including, as applicable and in response to COVID-19, amendments to Medicaid state plan provisions under other relevant provisions, such as sections 1915(i), 1915(k) and 1945 of the Social Security Act. The suspension of the aforesaid requirements is limited solely to emergency waivers related to the COVID-19 declared public health and civil preparedness emergencies.
6. **Suspension and Modification of Tax Deadlines and Collection Efforts.** Notwithstanding any contrary provisions of Chapter 204 of the Connecticut General Statutes or of any special act, charter, home-rule ordinance, local ordinance or other local law, there shall be established two programs to offer support to eligible taxpayers, businesses, nonprofits, and residents who have been economically affected by the COVID-19 pandemic. Such programs shall be known as the "Deferment Program" and the "Low Interest Rate Program." Each

municipality, as defined in section 7-148 of the general statutes, by determination of its local legislative body, or, in any town in which the legislative body is a town meeting, by a vote of the board of selectmen, shall participate in one or both programs and shall notify the Secretary of the Office of Policy and Management no later than April 25, 2020, about which program or programs it is electing to participate in.

- a. **Deferment Program.** During the period of March 10, 2020, the date that I declared the public health and civil preparedness emergency, through and including July 1, 2020, municipalities participating in the Deferment Program shall offer to eligible taxpayers, businesses, nonprofits, and residents a deferment by ninety (90) days of any taxes on real property, personal property or motor vehicles, or municipal water, sewer and electric rates, charges or assessments for such tax, rate, charge, or assessment from the time that it became due and payable. Eligible taxpayers, businesses, nonprofits, and residents are those that attest to or document significant economic impact by COVID-19, and/or those that document they are providing relief to those significantly affected by the COVID-19 pandemic. The Secretary of the Office of Policy and Management shall issue guidance as to which taxpayers, businesses, nonprofits, and residents shall be considered eligible for the Deferment Program, but participating municipalities may, upon approval of its local legislative body, or, in any town in which the legislative body is a town meeting, by a vote of the board of selectmen, extend eligibility for the deferment program to other categories of taxpayers, businesses, nonprofits, and residents.
- b. **Low Interest Rate Program.** For municipalities participating in the Low Interest Rate Program, notwithstanding Section 12-146 of the General Statutes, (i) the delinquent portion of the principal of any taxes on real property, personal property or motor vehicles, or municipal water, sewer and electric charges or assessments or part thereof shall be subject to interest at the rate of three (3) per cent per annum for ninety days from the time when it became due and payable until the same is paid, for any such tax, rate, charge, or assessment due and payable from March 10 through and including July 1, 2020, unless such delinquent portion is subject to interest and penalties at less than three (3) per cent per annum. Following the ninety days, the portion that remains delinquent shall be subject to interest and penalties as previously established; and (ii) any portion of the principal of any taxes on real property, personal property or motor vehicles, or municipal water, sewer and electric rates, charges or assessments or part thereof that had been delinquent on or prior to March 10, shall be subject to interest at the rate of three (3) per cent per annum for ninety days from this Order, unless such delinquent portion is subject to interest and penalties at less than three (3) per cent per annum. Following the ninety (90) days, the portion that remains delinquent shall be subject to interest and penalties as previously established.
- c. **Eligibility of Landlords.** In order for a landlord, or any taxpayer that rents or leases to any commercial, residential, or institutional tenant or lessee, to be eligible for the Deferment Program, said landlord must provide documentation to the municipality that the parcel has or will suffer a significant income decline or that commensurate

forbearance was offered to their tenants or lessees. Any taxpayer that rents or leases to any commercial, residential, or institutional tenant or lessee shall only be eligible for the Low Interest Rate Program if said landlord offers commensurate forbearance to tenants or lessees, upon their request.

d. **Escrow Payments.** Financial institutions and mortgage servicers that hold property tax payments in escrow on behalf of a borrower shall continue to remit property taxes to the municipality, so long as the borrower remains current on their mortgage or is in a forbearance or deferment program, irrespective of the borrower's eligibility for or participation in the Deferment Program or the Low Interest Rate Program.

e. **Liens Remain Valid.** Nothing in this order affects any provision of the Connecticut General Statutes relating to continuing, recording and releasing property tax liens and the precedence and enforcement of taxes, rates, charges and assessments shall remain applicable to any deferred tax, rate, charge or assessment or installment or portion thereof.

7. **Allowance of Suspension of In-Person Voting Requirements for Critical and Time Sensitive Municipal Fiscal Deadlines.** Notwithstanding any contrary provision of the Connecticut General Statutes, including Title 7, or any special act, municipal charter, ordinance or resolution that conflicts with this order, the legislative body of a municipality, or in a municipality where the legislative body is a town meeting other than a representative town meeting, the board of selectmen, and the budget-making authority of said municipality if different from the legislative body or board of selectmen, by majority vote of each such body, as applicable, may authorize (i) any supplemental, additional or special appropriations under Section 7-348 of the Connecticut General Statutes or comparable provisions of any special act, municipal charter or ordinance, (ii) any tax anticipation notes to be issued under Section 7-405a of the Connecticut General Statutes or comparable provisions of any special act, municipal charter or ordinance, or (iii) municipal general obligation bonds or notes to be issued in anticipation of such bonds to be issued pursuant to Chapter 109 of the Connecticut General Statutes for capital improvement purposes, without complying with any requirements for in-person approval by electors or taxpayers, including but not limited to, annual or special town meetings requiring votes or referenda. Notwithstanding the foregoing, if the legislative body and budget-making authority, if they are separate entities, are taking any action specified in (ii) or (iii) above, or any action under (i) above, which involves an appropriation in an amount in excess of 1% of the current year's total municipal budget without complying with any in-person approval requirements normally required by statute, special act, municipal charter, ordinance or resolution, such body(ies) shall make specific findings that such actions are necessary to permit the orderly operation of the municipality and that there is a need to act immediately and during the duration of the public health and civil preparedness emergency in order to avoid endangering public health and welfare, prevent significant financial loss, or that action is otherwise necessary for the protection of persons and property within the municipality. In so acting, the legislative body and, if different from the legislative body, the budget-making

authority of the municipality, shall comply with open meeting requirements set forth in Executive Order No. 7B. All conditions precedent to any such approval, including without limitation, public notices, hearings or presentations, shall proceed in a manner as closely consistent with the applicable statutes, special acts, town charters, municipal ordinances, resolutions or procedures as possible, and in compliance with the open meeting provisions set forth in Executive Order 7B. Nothing in this order shall be construed to prohibit a municipality from conducting any in-person meeting, approval process, or referendum, provided such municipality first consults with local or state public health officials and conducts such meeting, approval process, or referendum in a way that significantly reduces the risk of transmission of COVID-19

8. **Suspension of Reapplication Filing Requirement for the Homeowners' Elderly/Disabled Circuit Breaker Tax Relief Program and for the Homeowners' Elderly/Disabled Freeze Tax Relief Program.** The biennial filing requirements under Sections 12-170aa(e) and (f) and Sections 12-129b and 12-129c of the Connecticut General Statutes for any taxpayers who were granted the benefit for the Grand List year 2017 and who is required to recertify for the Grand List year 2019, are suspended and such taxpayers shall automatically maintain their benefits for the next biennial cycle ending in Grand List year 2021.
9. **Substitution of Full Inspection Requirements Pertaining to October 1, 2020 Grand List Revaluations.** The requirement set forth under Section 12-62 of the Connecticut General Statutes pertaining to October 1, 2020 Grand List revaluations that require a full interior inspection of property, for which such interior inspection that has not yet been completed, is suspended and replaced with the alternative requirement to send a questionnaire to the owner as outlined in Section 12-62(b)(4).
10. **Extension of Deadline to File Income and Expense Statement.** The taxpayer filing deadline set forth under Section 12-63c of the Connecticut General Statutes is extended to August 15, 2020.
11. **Suspension of Non-Judicial Tax Sales.** Notwithstanding any contrary provision of the Connecticut General Statutes, including but not limited to Section 12-157 or Section 7-258, or any special act, municipal charter or ordinance that conflicts with this order, (1) no municipality nor water pollution control authority may conduct any sale pursuant to General Statutes Section 12-157 or Section 7-258, until thirty days after the end of the public health and civil preparedness emergency, including any period of renewal or extension of such emergency. Any sale for which notice had been filed prior to March 10, 2020 shall be adjourned by operation of law to a date to be determined by the tax collector. Such adjourned date shall be no earlier than thirty days after the end of the public health and civil preparedness emergency; and (2) For any sales held under Section 12-157 or Section 7-258 that were conducted prior to March 10, 2020, any six-month redemption period in General Statutes Section 12-157 shall be extended for the number of calendar days the public health and civil preparedness emergency remains in effect. The time period from March 10, 2020 to the end of the emergency shall be considered a

"holding period." Redemption interest during said holding period shall be charged at a monthly rate equivalent to three per cent per annum.

Unless otherwise specified herein, this order shall take effect immediately and shall remain in effect for the duration of the public health and civil preparedness emergency, unless earlier modified or terminated by me.

Dated at Hartford, Connecticut, this 1st day of April, 2020.



Ned Lamont
Governor

By His Excellency's Command



Denise W. Merrill
Secretary of the State



RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$6.8 MILLION TOWN OF BRANFORD GENERAL OBLIGATION REFUNDING BONDS, AUTHORIZING COMBINING INTO ONE ISSUE AND MAKING DETERMINATIONS WITH THE REFUNDING BONDS ANY OTHER AUTHORIZED BUT UNISSUED BONDS OF THE TOWN, AND AUTHORIZING AGREEMENTS FOR THE INVESTMENT OF REFUNDING ESCROW AND ITS REINVESTMENT OVER ITS TERM

RECEIVED
2020 MAR 20 A 11:52
TOWN CLERK'S OFFICE
BRANFORD, CONNECTICUT

Section 1. \$6.8 million principal amount of refunding bonds of the Town of Branford, or so much thereof as shall be necessary, are hereby authorized to be issued for the purpose of refunding, including advance refunding, all or any portion of the aggregate principal amount of any issue of Town of Branford (hereinafter, the "Town") General Obligation Bonds or Clean Water Fund Loans now or hereafter outstanding or hereafter authorized, issued and outstanding, (the "Prior Bonds"), including but not limited to outstanding Clean Water Fund Loans 138 CSL, 139 CSL, and 358 C, and for the payment of all fees and expenses incurred in connection therewith, including redemption price, legal, fiscal advisor, underwriting, accounting, escrow verification, investment broker, printing, rating agencies, registrar, transfer and paying and escrow agents, printing, and such other costs and expenses, and those necessary, appropriate or customarily incurred in connection with the refunding of bonds.

Section 2. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, be issued in fully registered form, and be executed in the name and on behalf of the Town by the facsimile or manual signatures of the First Selectman and Town Treasurer. They shall bear such rate or rates of interest or be sold at such price or prices, including discount, as shall be determined by the First Selectman and the Finance Director (the "Town Officials") pursuant to Section 7-370 of the General Statutes. The bonds shall be general obligations of the Town and each of the bonds shall recite that every requirement of law relating to its issue has been duly complied with, that such bond is within every debt and other limit prescribed by law, and that the full faith and credit of the Town are pledged to the payment of the principal thereof and interest thereon. The aggregate principal amount of refunding bonds to be issued, the particular issue or portion thereof they shall refund, the annual installments of principal, redemption provisions, if any, the date, time and manner of issue and sale, interest rate on the bonds, designation of registration transfer and paying agent, financial advisor, underwriter, verification agent or other service providers to facilitate the issuance of the bonds and the transactions herein authorized, and other terms, details and particulars of such bonds, and their issuance and the use and investment of proceeds, including issuance premium, if any, shall be determined by the Town Officials in accordance with the General Statutes of the State of Connecticut, as amended, including but not limited to 7-370 et. seq. The refunding bonds authorized herein may be issued in one or more series, at one or more times and from time to time, provided that, the aggregate principal amount of all such refunding bonds issued shall not exceed \$6.8 million.

Section 3. Section 3. The Town Officials and Town Treasurer are hereby authorized on behalf of the Town to enter into bond purchase contracts for the sale of the bonds,

insurance or other credit enhancement contracts, escrow agreements, investment contracts to invest the proceeds of the bonds pending their use for the purposes of the issue, including purchasing open market treasury securities, State and Local Government Series, or any investment permitted by law, and to execute and deliver such other contracts or certificates necessary or appropriate to consummate the issuance of bonds and transactions herein contemplated, to contract with agents to act on behalf of the Town with respect to any of the foregoing and to apply the proceeds of such bonds for the purposes herein authorized. The agreements contemplated by this section may consist of more than one agreement entered into with more than one party. Any portion of the payment derived from such contracts may be deposited to the refunding escrow or expended to reduce, directly or indirectly, the amount of bonds required to be issued to refund the Town's Prior Bonds.

Section 4. The Town Officials and Town Treasurer are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to nationally recognized municipal securities information repositories or state based information repositories (the "Repositories") and to provide notices to the Repositories of material events as enumerated in Securities and Exchange Commission Exchange Act Rule 15c2-12, as amended, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution.

Section 5. The Town Officials and Town Treasurer are authorized to combine with the issue of refunding bonds herein authorized, bonds for any other purpose which the Town has authorized but, as of the issue date of the applicable series of refunding bonds, are unissued, including any bonds authorized subsequent to the date of adoption of this resolution. Solely in connection with such combined issue, the Town Officials and Town Treasurer in addition to the authority conferred upon them by any bond resolution authorizing the issue of the bonds to be combined into one issue with the refunding bonds, are hereby delegated the authority to enter into contracts of purchase for such bonds and to determine their interest rate, and to exercise with respect to such combined issue of bonds the authority herein conferred with respect to the refunding bonds.

Section 6. The Town Officials and Town Treasurer are hereby authorized on behalf of the Town to enter into contracts and to execute and deliver certificates necessary, appropriate or advisable in their determination to consummate the issuance of the bonds and the transactions authorized herein.

Section 7. This Resolution shall remain in full force and effect until repealed by the Representative Town Meeting.

Section 8. It is hereby found and determined that the issue of all, or a portion of, the Bonds, Notes or other obligations of the Town authorized to be issued herein as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation, is in the public interest. The Town Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any "tax credit bonds" or "Build America Bonds" including Direct Payment and Tax Credit versions.

BRANFORD BOARD OF POLICE COMMISSIONERS
33 LAUREL STREET
BRANFORD, CONNECTICUT 06405

Item #7

Jill Marcus (Chair)
Richard Goodwin
Anthony Lasala
Peter Hugret
John Sousoulas
Valerie Wiel-
Wilkins

James B. Cosgrove
First Selectman

Jonathan R.
Mulhern
Chief of Police

3/16/2020

Mr. Joseph Mooney
Chair, Board of Finance
Town of Branford
1019 Main St.
Branford, CT 06405

The Board of Police Commissioners respectfully requests an appearance before your board at your meeting on Monday March 23, 2020. At that meeting, we will seek your approval for the following transfer in our FY 2019 – 2020 budget totaling Sixteen Thousand One Hundred and Seventy-Six dollars (\$16,176.00).

From	Account	Description	To	Account	Description	Amount
	10142010-517000	Regular Salaries		10142010-579300	Furniture	\$15,905.00

The transfer request for funds into the Furniture account is to cover the expense of refurbished office furniture (workstations, desks, chairs) for the Records staff and all Detectives. These furniture items will replace several desks that were from the original police department building. Records desks are old and not ergonomically correct.

Respectfully Submitted,

Jill Marcus
Chair -Branford Police Commission



RECEIVED

2020 MAR 27 A 10:47

TOWN CLERK'S OFFICE
BRANFORD, CONNECTICUT

BOARD MEMBERS

PAUL J CRISCUOLO
Chairman

3-27-20

HELEN 'BIMMIE' HERGET
Clerk

Joe Mooney, Chairman
Board of Finance
1019 Main Street/P.O. Box 150
Branford, CT 06405

DEBORAH CONKILN

JEANNE CROWLEY

Hi Joe,

WILLIAM T. O'BRIEN

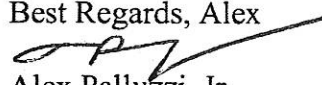
The transfer request should allow us to finish out the next few months for Purchased Services R&M. We have reflected the increase in this amount in the Fiscal 2020-2021, due to the increase of building maintenance and other miscellaneous purchased services required.

STAFF

ALEX PALLUZZI, JR.
Director

Best Regards, Alex

ALE B. IZZO
Assistant Director


Alex Palluzzi, Jr.
Director of Parks & Recreation

VICTOR AMAROTI, JR.
Program Supervisor

ANDREA STEADY
Program Coordinator

APJR/apjr

MONICA SULLIVAN
MEGAN CUNNINGHAM
Administrative Assistants

MARCEL COTE
Lead Maintainer

JASON CAROLLA
ROBERT DENHARDT
COLIN TRACY
Maintainers