

**REPRESENTATIVE TOWN MEETING
BRANFORD, CONNECTICUT**

**LEGAL NOTICE AND CALL
SEPTEMBER 9, 2020 7:00 p.m.**

2020 SEP 4 PM 1:10
BRANFORD, CONNECTICUT

To join Zoom meeting by computer:

<https://us02web.zoom.us/j/84943993438?pwd=YTdKNzF0MDVxTzZXTzNOemZlWko2QT09>

To join by telephone: 1-646-558-8656 Meeting ID: 849 4399 3438 Passcode: 255095

The agenda of the meeting, material for which it is known will be submitted to the meeting are, or will be, posted on the Town's website (Branford-ct.gov) and be available for viewing during and after the meeting.

The RTM will hold a Zoom meeting on Wednesday, September 9, 2020 at 7:00 p.m. to consider and act upon the following matters:

1. Review of remote meeting requirements & Roll Call.
2. Approval of minutes of previous meetings.
3. Reception of communications, reports of committees, and citizen petitions.
4. To consider, and if appropriate, create a Blight Ordinance for the Town of Branford.
5. To consider, and if appropriate, create an Ordinance pertaining to Unused Capital Funds.
6. To consider, and if appropriate, approve a request from the Director of Finance for the following FY2021 Budget Transfer:

From:		
10147020-588960	Bond Payments Interest	\$282,423
To:		
10147020-588960	Interest Payments General Purpose	45,248
10147020-588960	Interest Payments Schools	56,385
10147020-589540	Interest Payments Sewers	180,790
		282,423
From:		
10147020-589120	Principal Payments CWF	\$1,500,000
To:		
1015000-599121	Transfer Out Fund 720 – JBML Library	1,500,000

Increase:		
72090000-490010-19501	Operating Transfer In	1,500,000
Decrease:		
72090000-490040-19501	Bond Proceeds	1,500,000

7. Letters and petitions:

R&O

- Letter – Approval of 150K in legal fees not heard completely
- Letter – Request to review Code of Ethics
- Letter – Examination of POCD process
- Letter – Examination of State Statue 830G and its uses in Branford
- Petition -- 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.
- Petition -- An examination of past and present living conditions at Parkside Village housing complex and its oversight by the Branford Housing Authority.

Public Services

- Letter – Examination of removal of signs on roadways.

Ways and Means

- Letter – Examination of the Town's undesignated fund
- Letter -- Request to create a new RTM committee to review "Special Funds" – assigned by Leadership Caucus

Administrative Services

- Petition -- To consider the possibility of public health hazards emanating from the demolition debris piles at the former Atlantic Wire site.
- Petition -- 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.
- Petition -- An examination of the 77-acre Tabor Property, its current use and the development of a master plan.

8. To receive communications with respect to and consider and act upon a resolution entitled "RESOLUTION REPEALING THE BLACKSTONE MEMORIAL LIBRARY AUTHORIZED AND UNISSUED BOND AUTHORIZATION, HAVING BEEN REPLACED WITH OTHER NON-DEBT AVAILABLE FUNDING".

9. To consider, and if appropriate, approve a request from the Human Services Director for the following budget transfer:

From:	21844010-533900	Other Purchased Services	(\$44,160)
To:	21844010-518250	Seasonal/Part-time	44,160

10. To consider, and if appropriate, approve a request from the Fire Chief for the following closeout budget transfers for FY2020:

From:	10142040-517000	Regular Wages & Salaries	(\$44,000)
	10142040-518200	Sick	(32,932)
To:	10142040-518000	Overtime	\$76,932

From:	10142040-533530	Employment & Testing	(\$9,804)
To:	10142040-519025	Educational Incentive	9,804

From:	10142040-518150	Holiday	(\$17,268)
To:	10142040-519030	Accumulated Sick Pay	17,268

From:	10142040-519050	Stipends	(\$7,598)
To:	10142040-566600	Medical Supplies	7,598

From:	10142040-519000	Volunteer Stipend	(\$1,998)
To:	10142040-579300	Furniture and Fixtures	1,998

From:	10142040-518200	Replace Sick	(\$27,823)
To:	10142040-544170	Hydrants and Mains	27,823

From:	10142040-518010	Public Events	(\$14,155)
To:	2039000-490010-18508	Port Security Grant Cost Share	14,155

11. To consider, and if appropriate, approve a request from the Director of Parks & Recreation Department for the following budget transfers for FY2020:

From:	10145010-544100	Utilities-Water, Gas, Electric	(\$7,000)
To:	10145010-526100	Uniform/Clothing Allowance	600
	10145010-544320	Grounds R & M	6,000
	10145010-579250	Equipment	400

12. To consider, and if appropriate, approve a request from the Tax Collector for the following budget transfer for FY2020:

From:	10141070-517000	Regular Wages & Salaries	(\$1,693)
To:	10141070-533300	Professional Development	743
	10141070-555305	Online Services	950

13. To continue discussions on the Dan Cosgrove Animal Shelter facility expansion appropriation, and consider, and if appropriate, approve the following transfer requests and resolution:

Animal Control Fund

Increase:	20690000-480296	Fund Balance	\$100,000
Increase:	20642060-599124	Transfer Out Municipal Facilities Fund	100,000

Municipal Facilities Fund

Increase:	72090000-480296-xxxx	Transfer In	\$100,000
Increase:	72042060-533950-xxxx	Animal Shelter Renovation & Expansion	100,000

RESOLVED: That the Board of Finance recommends to the RTM a transfer out of \$100,000 to the Municipal Facilities Fund to fund a portion of the animal shelter renovation. This transfer out will be funded from the Animal Control Fund's undesignated fund balance and increase the fiscal year 2021 Animal Control Fund budget from \$367,026 to \$467,026.

14. To receive communications with respect to and consider and act upon a resolution entitled "RESOLUTION APPROPRIATING \$2,895,000 FOR THE RENOVATION AND EXPANSION OF THE BRANFORD ANIMAL SHELTER AND AUTHORIZING THE ISSUE OF \$2,895,000 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 on file, open to public inspection in the office of the Town Clerk and posted on the Town website.
15. To consider, and if appropriate, approve a request from the Assistant Finance Director for the following FY2020 budget transfer for Information Technology:

<u>From:</u>		
10141190 517000	Wages & Salaries	(\$721)
10141190 533300	Professional Development	(428)
10141190 544375	Hardware	(834)
10141190 555300	Communications	(443)
10141190 566900	Other Supplies	(1,196)
10141190 579200	Software	(8,070)
10141190 588090	Travel	(2,500)
10141190 588200	Memberships & Conferences	(231)
<u>To:</u>		
10141190 544300	Purchased Services	\$14,423

16. To consider, and if appropriate, approve various requests from the Finance Director for budget transfers.

A. FEMA Fund – FY2020

<u>From:</u>		
Contingency	10149040-588802	150,000

<u>To:</u>		
Operating Transfer Out FEMA	10150000-599122	150,000

General Fund

B. FY 2020 Dispatchers

<u>From:</u>		
10149040-588802	Contingency	83,586
<u>To:</u>		
10142010-517000	Wages & Salaries	38,719
10142010-519070	Retroactive Wages	44,493
10142010-519040	Accrued Payroll Expense	374

C. FY 2020 Town Hall Union

<u>From:</u>		
10149040-588802	Contingency	26,350
<u>To:</u>		
10142010-517000	Wages & Salaries (Police)	2,213
10141040-517000	Wages & Salaries (Finance)	4,005
10141050-517000	Wages & Salaries (Assessor)	4,980
10141070-517000	Wages & Salaries (Tax Collector)	2,576
10141080-517000	Wages & Salaries (Town Clerk)	3,780
10141130-517000	Wages & Salaries (P & Z)	1,186
10141160-517000	Wages & Salaries (Inland Wetlands)	1,309
10143030-599105	Transfer Out Sewer Utility	1,380
10143010-517000	Wages & Salaries (DPW)	1,355
10143040-517000	Wages & Salaries (Solid Waste)	1,174
10143050-517000	Wages & Salaries (Engineering)	2,239
10142010-519040	Accrued Payroll Expense	18
10141040-519040	Accrued Payroll Expense	31
10141050-519040	Accrued Payroll Expense	38
10141080-519040	Accrued Payroll Expense	29
10143010-519040	Accrued Payroll Expense	10
10143040-519040	Accrued Payroll Expense	9
10143050-519040	Accrued Payroll Expense	18

D. FY 2020 Recreation Union

From:		
10149040-588802	Contingency	11,107
To:		
10141170-517000	Wages & Salaries (GGB)	3,226
10145010-517000	Wages & Salaries (Recreation)	7,796
10141170-519040	Accrued Payroll Expense	25
10145010-519040	Accrued Payroll Expense	60

E. Sewer Utility Fund

Increase:		
21090000-490010	Operating Transfer In	1,380
Increase:		
21043030-517000	Wages & Salaries	1,355
21043030-519040	Accrued Payroll Expense	25

RESOLVED: That the RTM approves a transfer out of \$1,380 to the Sewer Utility Fund to fund salary changes pursuant to the collective bargaining agreement for the Town Hall Union. This transfer will increase the Fiscal Year 2020 budget in the Sewer Utility Fund from \$4,535,637 to \$4,537,017.

F. Transfers for Accumulated Sick Payouts (Contractual)

From:		
10149040-588802	Contingency	34,992
To:		
10141020-519030	Accumulated Sick (Executive)	4,808
10141070-519030	Accumulated Sick (Tax Collector)	1,263
10141170-519030	Accumulated Sick (GGB)	4,783
10143010-519030	Accumulated Sick (DPW)	24,138

G. Tax Appeals and Other Legal

From:		
10149040-588802	Contingency	59,000
10141090-533660	Tax Appeals	40,000
	Total	99,000
To:		
10141090-533550	Legal	85,000
10141090-529420	Expenses and Claims	14,000
	Total	99,000

H. Municipal Insurance

<u>From:</u>		
10149040-588802	Contingency	20,000
<u>To:</u>		
10149030-588140	Insurance Damage	15,000
10149030-555200	Property Insurance	5,000

I. Special Detail

Please find below a resolution to increase the FY 2020 Budget to cover police special detail costs. Please note that these costs are ultimately offset through higher than budgeted revenues.

Resolved: That the Board of Finance recommends to the RTM an increase in appropriations for the Fiscal Year 2020 General Fund Budget from \$115,908,944 to \$116,119,944. This increase will be funded through increased estimated revenue resulting from special detail receipts.

Increase		
<u>Account</u>	<u>Description</u>	<u>Amount</u>
10142010-420450	Special Wages Police	211,000
<u>Increase:</u>		
10142020-518500	Police Special Detail	211,000

J. General Government Buildings GGB

<u>From:</u>	<u>Description</u>	<u>Amount</u>
10141170-517000	Regular Wages	17,400
10141170-518000	Overtime	11,000
10141170-544300	Purchased Services R&M	3,000
10141170-544110	Fuel Oil	27,000
		58,400
<u>To:</u>		
10141170-544100	Utilities	58,400

K. Human Resources

<u>From:</u>	<u>Description</u>	<u>Amount</u>
10141070-517000	Regular Wages	1,800
<u>To:</u>		
10141200-518000	Overtime	1,800

L. Solid Waste

<u>From:</u>	Description	Amount
10143040-517000	Regular Wages	31,305
<u>To:</u>		
10143040-544353	Material Handling	31,305

M. Legislative

<u>From:</u>	Description	Amount
10141020-517590	Elected Official Salaries	275
<u>To:</u>		
10141010-517590	Elected Official Salaries	275

17. Any other business to come before the RTM.

18. Adjournment.

Dated this 3rd day of September, 2020



Dennis Flanigan Moderator, RTM.

Item #8
As Corrected by
Bond Counsel

RESOLUTION REPEALING THE BLACKSTONE MEMORIAL LIBRARY AUTHORIZED
AND UNISSUED BOND AUTHORIZATION, HAVING BEEN REPLACED WITH OTHER
NON-DEBT AVAILABLE FUNDING

Section 1. The Town of Branford at Representative Town Meeting has approved the following Project to be undertaken and financed by the issuance of Bonds, for which an authorized but unissued bond authorization remains:

Project	Representative Town Meeting Resolution	Authorized	Bonds Issued	Authorized but unissued	Status
Blackstone Memorial Library	1/10/2018, as amended on 4/22/2020	\$5,745,000	\$2,345,000	\$3,400,000	Non-debt funding sources available for Project balance

Section 2. It is hereby found and determined that as a result of the issuance of \$5,400,000 Refunding Bonds of the Town of Branford, a budgetary savings in the debt service line item budget of approximately \$1,500,000 will result in the fiscal year ending 6/30/2021, which, upon transfer for the Library Project and together with \$800,000 of donations, and \$1,100,000 of State grant funding, is sufficient to complete the Library Project without further debt incurred by the Town of Branford. The appropriation shall remain unaffected and in place.

Section 3. NOW, THEREFORE, it is hereby ordered that the Library Project, having sufficient non-debt funding sources for its completion, the remaining authorized but unissued bonds, notes or other obligations of the Town authorized to be issued pursuant to the authorizing resolutions, is hereby repealed and withdrawn.

RECEIVED
2020 SEP -4 A 1:25
TOWN OF BRANFORD
LIBRARY COUNSEL

RESOLUTION APPROPRIATING \$2,895,000 FOR THE RENOVATION AND EXPANSION OF THE BRANFORD ANIMAL SHELTER AND AUTHORIZING THE ISSUE OF \$2,895,000 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE

2020 AUG 22 P 12:05

RECEIVED

Section 1. The sum of \$2,895,000 is appropriated for the planning, acquisition and construction of the renovation and expansion of the of the Branford Animal Shelter, including engineering, consultant fees, equipment, administrative, printing, legal and financing costs related thereto, or so much thereof or such additional improvements as may be accomplished within the appropriation. The appropriation shall be inclusive of grants and capital campaign funding contributions.

Section 2. The total estimated cost of the project is \$2,895,000 and is expected to be paid from an estimated \$730,000 to be raised for the project pursuant to a capital campaign of public contributions, \$25,000 energy rebates, \$100,000 fund balance, and the bonds authorized herein.

Section 3. To meet said appropriation, \$2,895,000 bonds of the Town or so much thereof as shall be necessary for such purpose, shall be issued, maturing not later than the twentieth year after their date. Said bonds may be issued in one or more series as determined by the First Selectman and the Town Treasurer (the First Selectman and the Town Treasurer hereinafter the "Town Officials"), and the amount of bonds of each series to be issued shall be fixed by the Town Officials. Said bonds shall be issued in the amount necessary to provide funds sufficient with other funds available for such purpose to pay the principal of and the interest on all temporary borrowings in anticipation of the receipt of the proceeds of said bonds outstanding at the time of the issuance thereof, and to pay for the administrative, printing and legal costs of issuing the bonds. Capital project revenues, including bid premiums and income derived from the investment of proceeds from bonds issued pursuant to this resolution (and net investment income derived from the investment of note proceeds) are authorized to be credited by the Director of Finance to the project account and expended to pay project expenses customarily paid there from, provided that such expenditures shall be applied against the appropriation, and the bond authorization shall be reduced by the amount of capital project revenues so credited. The bonds shall be in the denomination of \$1,000 or a whole multiple thereof, or, be combined with other bonds of the Town and such combined issue shall be in the denomination per aggregate maturity of \$1,000 or a whole multiple thereof, be issued in bearer form or in fully registered form, be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be certified by a bank or trust company designated by the Town Officials, which bank or trust company may be designated the registrar and transfer agent, be payable at a bank or trust company designated by the Town Officials and be approved as to their legality by Bond Counsel. They shall bear such rate or rates of interest as shall be determined by the Town Officials. 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, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and shall be

paid from property taxation to the extent not paid from other funds available for the payment thereof. The aggregate principal amount of the bonds to be issued, the annual installments of principal, redemption provisions, if any, the date, time of issue and sale and other terms, details and particulars of such bonds, shall be determined by the Town Officials, in accordance with the General Statutes of the State of Connecticut, as amended. In order to meet the capital cash flow expenditure needs of the Town, the Town Officials are authorized to allocate and reallocate expenditures incurred for the Project to any bonds or notes of the Town outstanding as of the date of such allocation, and the bonds or notes to which such expenditures have been allocated shall be deemed to have been issued for such purpose, including the bonds and notes herein authorized.

Section 4. Said bonds shall be sold by the Town Officials in a competitive offering or by negotiation, in their discretion. If sold at competitive offering, the bonds shall be sold upon sealed proposals, auction, or similar competitive process at not less than par and accrued interest on the basis of the lowest net or true interest cost to the Town. A notice of sale or a summary thereof describing the bonds and setting forth the terms and conditions of the sale shall be published at least five days in advance of the sale in a recognized publication carrying municipal bond notices and devoted primarily to financial news and the subject of state and municipal bonds.

Section 5. The Town Officials are authorized to make temporary borrowings in anticipation of the receipt of the proceeds of said bonds. Notes evidencing such borrowings shall be executed in the name and on behalf of the Town by the manual or facsimile signatures of the Town Officials, bear the Town seal or a facsimile thereof, be payable at a bank or trust company designated by the Town Officials, be approved as to their legality by Bond Counsel, and be certified by a bank or trust company designated by the Town Officials, pursuant to Section 7-373 of the General Statutes of Connecticut, as amended. They shall be issued with maturity dates which comply with the provisions of the General Statutes governing the issuance of such notes, as the same may be amended from time to time. The notes shall be general obligations of the Town and each of the notes shall recite that every requirement of law relating to its issue has been duly complied with, that such note is within every debt and other limit prescribed by law, that the full faith and credit of the Town are pledged to the payment of the principal thereof and the interest thereon and shall be paid from property taxation to the extent not paid from other funds available for the payment thereof. The net interest cost on such notes, including renewals thereof, and the expense of preparing, issuing and marketing them, to the extent paid from the proceeds of such renewals or said bonds, shall be included as a cost of the project. Upon the sale of said bonds, the proceeds thereof, to the extent required, shall be applied forthwith to the payment of the principal of and the interest on any such notes then outstanding or shall be deposited with a bank or trust company in trust for such purpose.

Section 6. Resolution of Official Intent to Reimburse Expenditures with Borrowings. The Town (the "Issuer") hereby expresses its official intent pursuant to §1.150-2 of the Federal Income Tax Regulations, Title 26 (the "Regulations"), to reimburse expenditures paid sixty days prior to and after the date of passage of this resolution in the maximum amount and for the capital project defined in Section 1 with the proceeds of bonds, notes, or other obligations ("Bonds") authorized to be issued by the Issuer. The Bonds shall be issued to reimburse such expenditures not later than 18 months after the later of the date of the expenditure or the substantial completion of the project,

or such later date the Regulations may authorize. The Issuer hereby certifies that the intention to reimburse as expressed herein is based upon its reasonable expectations as of this date. The Director of Finance or his designee is authorized to pay project expenses in accordance herewith pending the issuance of reimbursement bonds, and to amend this declaration.

Section 7. The Town Officials are hereby authorized to exercise all powers conferred by section 3-20e of the general statutes with respect to secondary market disclosure and to provide annual information and notices 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 8. It is hereby found and determined that it is in public interest to issue all, or a portion of, the Bonds, Notes or other obligations of the Town as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The First Selectman and the Treasurer are hereby authorized to issue and utilize without further approval any financing alternative 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.