



Representative Town Meeting (Zoom)

Meeting Minutes

February 10, 2021 7:00 p.m.

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BRANFORD TOWN CLERK

Moderator: Dennis T. Flanigan	Clerk: Donna Laich
Majority Leader: Ray Ingraham	Minority Leader: Tom Brockett

Moderator Flanigan reviewed the rules of a remote meeting. He welcomed two recently sworn in members of the RTM, Rep. Aitro and Rep. Verderame.

Rep. Brockett was recognized by the Moderator. Rep. Brockett read a resolution related to the insurrection events of Jan. 6 2021 and made a motion to add the resolution to the agenda (see attached). Rep. Sullivan 2nd the motion. Prior to a vote on the motion, the Moderator asked that attendance be taken.

1. Roll Call:

Representatives Present: Adelman, Aitro, Alfone, Anderson, Black, Brockett, Conklin, Everson, Erlanger, Flanigan, Greenberg, Hakun, Healy, Hentschel, Hynes, Ingraham, Jackson, Laich, Prete, Riccio, Sember, Shrestha, Sires, Soomro, Stepanek, Sullivan, Torelli, Twohill, Verderame & Wells.

Representatives Absent: none

Ex Officios Present; 1st Selectman Cosgrove, Selectman Dunbar and Town Clerk Arpin.

Rep. Brockett's motion to add the insurrection resolution to the agenda was addressed. The Moderator did not allow debate and after a roll call vote the motion was defeated 16 –13.

2. Approval of minutes of previous meetings

a. Rep. Torelli made a motion to approve the minutes of the last two meetings, 2nd by Rep. Ingraham. The minutes were unanimously approved.

3. Reception of communications, reports of committees, and citizen petitions.

Moderator Flanigan read the following:

- The Moderator read a letter submitted by Robert Costanzo regarding the number of citizens required to file a petition. The Moderator stated the issue would be discussed in a report by the Rules and Ordinances Committee.
- Moderator Flanigan read another letter from Robert Costanzo concerning remote meetings (see attached). The Moderator explained that no action is required since Zoom allows all attendees to see who is hosting the meeting by clicking on the tab labeled participants.
- The Moderator read a letter from First Selectman Cosgrove regarding Chapter 223-Vehicles and Traffic of the Town Code (see attached). Moderator Flanigan sent this to the Rules and Ordinances committee.

- d. The Moderator read a letter from the Town Engineer regarding the acceptance of a town road named Cosgrove Court (see attached). Moderator Flanigan referred this to the Administrative Services Committee.
 - e. A Letter from resident Wayne Cooke to Gov. Lamont (not read aloud). Moderator Flanigan stated since it was sent to the governor and not to the moderator, no action is required.
 - f. Moderator Flanigan read a letter from Mr. Cooke requesting that the chairman of two RTM committees be removed (see attached). Moderator Flanigan said no action will be taken on this item.
 - g. A letter from Mr. Cooke was read regarding petitions and letters (see attached). Moderator Flanigan reported that subcommittees spend an abundant amount of time on these items and therefore these items do not need to resurface. The moderator declared no action will be taken on this item.
 - h. The Moderator read a letter from Mr. Cooke regarding the actions of town officials related to Costco (see attached). Moderator Flanigan said this item is in litigation and therefore the RTM will not be involved at this time.
 - i. The Moderator read a letter from Mr. Cooke regarding the procedures of zoom meetings (see attached). No action was taken.
4. **To consider, and if appropriate approve amendment to Chapter A236-4 (c) Rule 4.3 section (4)**
 - a. Rep. Black, reported the committee created new language regarding this rule (see attached). The new language was approved unanimously in committee. Rep. Black made a motion to amend the rule and accept the new language. The motion was unanimously approved.
 5. **To consider, and if appropriate create a Blight Ordinance for the Town of Branford.**
 - a. Rep. Black reported that a subcommittee is working on draft language for a blight ordinance. The committee unanimously recommended that this item be re-referred; a motion was made for re-referral. The motion passed unanimously.
 6. **To consider, and if appropriate, create an Ordinance pertaining to Unused Capital Funds.**
 - a. Rep. Black stated this item was not heard in committee and made a motion to re-refer, 2nd by Rep. Sullivan. No discussion, the item was unanimously re-referred.
 7. **To review and if appropriate, approve amendment to RTM Rule A236-1 (k) (4) to change the number of citizens signatures on a Petition to the RTM from 50 to 250.**
 - a. Rep. Black reported that the Rules and Ordinances committee unanimously agreed to take no action on this and to remove it from the agenda. The motion was unanimously approved.
 8. **To consider, and if appropriate, approve amendment to RTM Rule A-236 (1) or Clerk A-236 (2).**
 - a. Rep. Black stated the item was discussed and unanimously approved by the committee. Rep. Black said since that meeting, Rep. Twohill noted that language needs further clarification pursuant to the FOIA. Rep. Black made a motion to re-refer the item, 2nd by Rep. Brockett. The item was unanimously re-referred.
 9. **Letters and Petitions: R&O Letter-Request to review Code of Ethics.**

- a. Rep. Black reported this was not discussed in committee and made a motion to re-refer the item, 2nd by Rep. Hentschel. The motion passed unanimously.
- b. **R&O Letter- Examination of POCD process:** Rep. Black reported that a presentation was made by Mr. Cooke to the committee. The committee decided the item falls within the purview of Planning and Zoning and the committee unanimously recommended no action be taken on this item. The motion passed unanimously.

10. To consider, and if appropriate, approve the following budget transfer for the Tax Collector to fund a Tax Associate position for the remainder of FY21.

Rep. Alfone provided a brief overview and noted it was approved in Administrative Services Committee 6-1 (Rep. Sires voted no) and put it in the form of a motion. Rep. Sires gave a minority report and explained she was not satisfied with the information she received. Rep. Black stated that Ways and Means approved this in committee 4-1 (Rep. Black abstaining) and joined the motion made by Rep. Alfone. Selectman Cosgrove provided additional details, followed by a lengthy discussion with RTM members and citizens. The tax collector provided background information and answered questions, including the difficulties and challenges faced in the tax department. In a roll call vote, the motion passed 27-2 (see attached).

From:		
10149040-588802	Contingency	(\$21,561)
To:		
10141070-517000	Regular Wages & Salaries	\$2,370
10141070-518000	Overtime	15,000
10141070-519040	Accrued Payroll	191
10141070-533280	Consulting Services	4,000

11. Any other business to come before the RTM.

- a. Rep. Brockett asked the first selectman if he was aware of areas where snow was not removed from sidewalks, specifically between Stannard Ave. and Maple St. 1st selectman Cosgrove said he will look at the particular area and have it addressed, he said Public Works is in the process of notifying property owners of their responsibility to clean sidewalks.
- b. Mr. Jerolman spoke regarding the upcoming Board of Education (BOE) budget. He referenced rising administrative salaries and recommended the next BOE budget not be increased. RTM members and citizens made several additional comments.
- c. Rep. Twohill asked for a moment of silence for the passing of Robert Abels, who served on the RTM for many years.
- d. Rep. Sullivan spoke in support of the resolution put forward at the beginning of this meeting by Rep. Brockett. He expressed his disappointment in the representatives that voted against adding this resolution to the agenda tonight. Rep Sullivan requested the resolution be put on the agenda for the March meeting. Moderator Flanigan stated that because it was defeated by tonight's motion it would not be added to next month's agenda. Other RTM members commented that because the resolution concerned a national matter it was not appropriate as the RTM should only conduct the business of the town. Rep. Shrestha added passionate comments in favor of this resolution. Rep. Riccio was foreclosed from speaking on the resolution.
- e. Citizens spoke on issues related to communications as well as other matters. One citizen asked why a citizen was blocked from the meeting tonight. Town Clerk Arpin responded and cited

section 1-232. A discussion continued with many comments, questions, and responses. Town Clerk Arpin responded again that per section 1-232 only agenda items could be discussed.

12. **Adjournment:** 9:07 pm

- a. Motion to adjourn by Rep. Riccio, 2nd by Rep. Black.

Dated this 10th day of February, 2021

Donna Laich, RTM clerk

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BRANFORD TOWN CLERK

RESOLUTION

WHEREAS, we are duly elected members of the Branford RTM, and as such were elected by established government practice and process, and agree that we are a Nation of laws, and as members of the Branford RTM are recognized as leaders of our community, and

WHEREAS elected officials we swore an oath to uphold and obey the Constitution of the United States of America, and

WHEREAS, on January 6, 2021, through riotous actions, large numbers of American citizens invaded our Nation's Capitol in particular the buildings that house our elected Congressional members and host their passage of laws, and certification of cast electoral ballots as a final step in our National election process, in an effort to interrupt, stop and potentially overturn those results and process and disenfranchise millions of voters,

NOW THEREFORE, we the elected members of the Branford RTM, do wholeheartedly condemn these violent actions and rioting that amount to insurrection against our government and an attempt to overrule the will of the people of our Nation, The United States of America.

Lisa Arpin

From: Wayne Cooke <wncooke@yahoo.com>
Sent: Monday, February 8, 2021 11:15 AM
To: Lisa Arpin; Trista Milici; Donna Laich; Dennis Flanigan; Raymond Ingraham; Tom Brockett
Subject: RTM Letters
Attachments: RTM Letters.pdf

Dear Town Clerk Arpin,

Attached are letters sent in December to the RTM that, because of special meeting status, were never considered

Please include these on the agenda for Wednesday's meeting.

Sincerely,

Wayne Cooke

Wayne N. Cooke

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

December 14, 2020

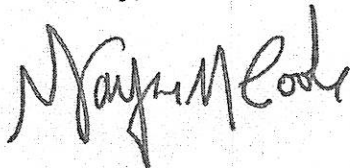
Branford RTM
Branford Town Hall
1019 Main Street
Branford, CT 06405

Dear Branford RTM:

It is asked that the attached letter sent to Governor Ned Lamont regarding First Selectman James Cosgrove's and Representative Ray Ingraham's abuse of Zoom technology to prevent citizens from presenting the truth about Town Hall dishonesty be read aloud for the entire community to hear.

As a lifelong Branford citizen, I am both embarrassed and disgusted that our public officials have resorted to such underhanded measures to cover up the facts about their corrupt actions. and that the RTM and its moderator are allowing them to do it.

Sincerely,

A handwritten signature in black ink that reads "Wayne Cooke". The signature is written in a cursive style with a large initial "W".

Wayne Cooke

Wayne N. Cooke

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

November 22, 2020

Governor Ned LaMont
State Capitol Building
210 Capitol Avenue
Hartford, CT 06106

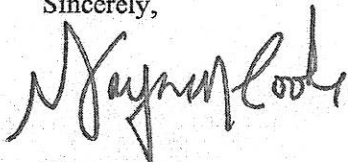
Dear Governor LaMont:

Although your Executive Order 9-B was implemented to ensure safe public meetings during the COVID pandemic, in our town of Branford, First Selectman James Cosgrove and other public officials are abusing the electronic control they have over Zoom meetings by muting individuals critical of their actions and disallowing the use of screen sharing to prevent the display of materials they do not want the public to see.

Because it was your office that ordered the use of such technology, citizens were instructed by RTM Moderator Dennis Flanigan to contact you for guidance on how such first amendment abuse and censorship—possible only because of the electronic control of public meetings imposed by the current health crisis--can be addressed.

On behalf of the citizens of Branford, your prompt attention to such dishonest and unconstitutional behavior by town officials, particularly First Selectman Cosgrove, is requested.

Sincerely,



Wayne Cooke

Cc: Attorney General William Tong
Representative Sean Scanlon
CT Freedom of Information Commission
American Society for Public Administration
Connecticut Foundation for Open Government
Branford RTM
New Haven Register
The Sound

State Senator Christine Cohen
Representative Robin Comey
American Civil Liberties Union
Connecticut Board of Ethics
Branford Ethics Board
Branford Board of Selectmen
Hartford Courant

Wayne N. Cooke

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

Branford RTM
Branford Town Hall
1019 Main Street
Branford, CT 06405

December 12, 2020

Dear Branford RTM:

It is asked that this letter be read into the record and sent to the appropriate committee for the establishment of clear rules that encourage, not censor and mute, a citizen's right to speak at RTM meetings:

To RTM Members:

As First Selectman Cosgrove, Representatives Ingraham and Black, and other RTM members continue their attempts to silence citizens in order to cover up Town Hall dishonesty and corruption, they and the entire RTM would do best to remember the following:

Homer: To speak his thoughts is every man's right.

Voltaire: I disapprove of what you say, but I will defend to the death your right to say it.

George Washington: If the freedom of speech is taken away, then dumb and silent we may be led, like sheep to the slaughter.

Napoleon Bonaparte: A people which is able to say everything becomes able to do everything.

Oliver Wendell Holmes: The very aim and end of our institutions is just this: that we may think what we like and say what we think.

Theodore Roosevelt: Free speech, exercised both individually and through a free press, is a necessity in any country where people are themselves free.

John Stuart Mill: We can never be sure that the opinion we are endeavoring to stifle is a false opinion; and if we were sure, stifling it would be an evil still.

Frederick Douglas: To suppress free speech is a double wrong. It violates the rights of the hearer as well as those of the speaker.

John Morley: You have not converted a man because you have silenced him.

Benjamin Franklin: Whoever would overthrow the liberty of a nation must begin by subduing the freeness

of speech.

Charles Bradlaugh: Better a thousandfold abuse of free speech, than denial of free speech..

James Madison: The people shall not be deprived or abridged of their right to speak.

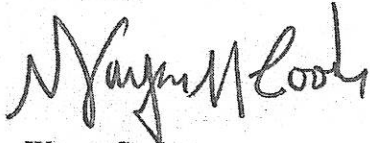
Franklin D. Roosevelt: The truth is found when men are free to pursue it.

Mark Twain: Censorship is telling a man he can't have a steak, just because a baby can't chew it.

John Milton: Give me the liberty to know, to utter, and to argue freely, according to conscience, above all liberties.

James Buchanan: I like the noise of democracy.

Sincerely,

A handwritten signature in cursive script that reads "Wayne Cooke". The signature is written in dark ink and is positioned above the printed name.

Wayne Cooke

Wayne N. Cooke

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

December 12, 2020

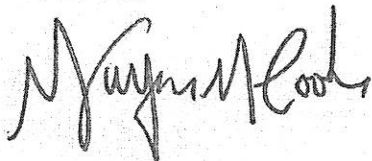
Branford RTM
Branford Town Hall
1019 Main Street
Branford, CT 06405

Dear Branford RTM:

Because of the unfair, politically-partisan, and dishonest manner in which Representative Peter Black conducts the Ways and Means and Rules and Ordinances committees, I ask that all current citizen petitions and letter items be referred to another committee for study and consideration.

In addition, to ensure a fair and impartial process for future citizen petitions and other matters, it is formally asked of the majority party leadership that Mr. Black be removed from the chair of both committees.

Sincerely,

A handwritten signature in black ink that reads "Wayne N. Cooke". The signature is written in a cursive style with a large initial "W".

Wayne Cooke

Wayne N. Cooke

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

Branford RTM
c/o Dennis Flanagan, Moderator
1019 Main Street
Branford, CT 06405

December 14, 2020

Dear Branford RTM,

At your previous meeting, a dishonest and underhanded action was committed by Representative Peter Black, Representative Raymond Ingraham, and others to prematurely move the question and prevent any discussion regarding conspiracy and fraud by town officials during the Costco inland wetland hearings, as well as the first selectman's continued lying about his office conducting an "investigation" into the matter, which, in four years, no one has ever seen.

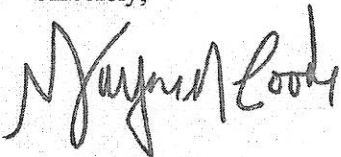
The excuse given for this flagrant and cowardly abuse of the citizen petition process and the first amendment was said by those involved to be because the matter is "in litigation".

Both the moderator and RTM are to be reminded that the first selectman's promise of an "investigation" into the fraudulent process surrounding Costco's inland wetlands application in 2016, was made three years before any litigation was filed.

Furthermore, you are also to be reminded that several years ago—when a citizen's federal lawsuit for similar civil right violations committed by the Town was in the midst of litigation—the RTM had no problem discussing the case and the issues involved and, in fact, formed a special committee to do so.

It is asked that the RTM—in keeping with its fiduciary duty to the citizens of Branford --return the Costco investigation petition item to your agenda for the fair and thorough consideration it warrants.

Sincerely,



Wayne Cooke

Wayne N. Cooke

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

Branford RTM
Branford Town Hall
1019 Main Street
Branford, CT 06405

December 14, 2020

Dear Branford RTM,

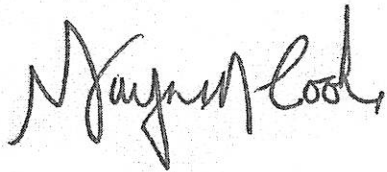
Please be advised that, in light of the RTM taking certain actions with no formal directives or follow-up procedures in place for issues raised by citizen petitions and letters, the following items require continued monitoring and progress reports to both the RTM and community:

- 1.) "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."-Sent to the Board of Selectmen for investigation and resolution.
- 2.) "An examination of the 77-acre Tabor property, its current use, and the development of a master plan".-Sent to Board of Selectmen for the formation of an ad hoc committee.
- 3.) "An examination of past and present living conditions at the Parkside Village housing complex and its oversight by the Branford Housing Authority."-Sent to Board of Selectmen for investigation and resolution.
- 4.) "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 for public safety hazards from the resulting flooding of Route 146. " - The sending and continued monitoring of a letter from the RTM to ALL relevant government bodies and others demanding an immediate solution to public safety issues caused by Route 146 flooding-
- 5.) "To consider the possibility of public health hazards emanating from the demolitiodebris piles at the former Atlantic Wire site."-First selectmen is directed by the RTM to contact property owner about covering piles with plastic and to investigate and report on numerous unanswered questions about the testing of debris material.
- 6.) "An examination of the process by which the RTM authorizes the payment of legal bills." All legal bills will be made readily available to the RTM and public and an itemized report will be issued by the finance department every two months. The RTM will take immediate measures to ensure that appropriation of amounts for legal spending occur BEFORE the bills are incurred. as required by Town Charter.

- 7.) "In light of the numerous special funds—i.e. the undesignated fund balance, employee insurance fund, OPEB trust, Human Resources fund, and many others—collectively containing tens of millions of dollars yet not monitored by the RTM, to examine the establishment of an RTM "Special Funds Committee" for oversight of these accounts." The Ways and Means committee will monitor and periodically report on all special funds and immediately investigate and report back on any and all questions and concerns about such funds from the RTM and public. The question of the hidden \$6.7 million transfer by the Board of Finance without RTM involvement will be immediately investigated and reported back on.

It is asked that the RTM place the above items on its agenda for continued monitoring and monthly progress reports until all are completed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wayne Cooke".

Wayne Cooke

BOARD OF SELECTMEN

BRANFORD, CONNECTICUT



JAMES B. COSGROVE
First Selectman

RAYMOND E. DUNBAR, JR.
ANGELA M. HIGGINS

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

Date: January 22, 2021
To: Dennis Flanagan
Moderator, RTM
From: James Cosgrove, First Selectman
Re: Amendment to Ordinance

Dear Moderator,

I respectfully request that the RTM consider and approve an amendment to Chapter 223, Vehicles and Traffic of the Town Code. The purpose is to add language granting the Board of Selectmen the authority to adopt rules and regulations regarding the use and operations of any municipal parking lot. I look forward to the opportunity to present to the members additional information, and suggested language.

Sincerely,

James Cosgrove

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2021 FEB 10 P 3:04
Mai Stoppin
BRANFORD TOWN CLERK

