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Wesley E. Arpin
BRANFORD TOWN CLERK



Representative Town Meeting

Meeting Minutes

November 18, 2020 7:00 p.m.

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

1. Review of remote meeting requirements & Roll Call.

RTM Representatives present: Adelman, Alfone, Anderson, Austin, Black, Brockett, Conklin, Everson, Erlanger, Flanigan, Greenberg, Hakun, Healy, Hentschel, Hynes, Ingraham, Jackson, Laich, Prete, Riccio, Sember, Shrestha, Sires, Soomro, Stepanek, Sullivan, Torelli, Twohill, Wells (7:17)

RTM Representatives Absent: Rep. Kelly

Ex Officios present: 1st Selectman Cosgrove, Selectman Dunbar, Town Clerk Arpin, Selectman Higgins

2. **Approval of minutes of previous meetings:** Motion to approve the minutes from the 9/9/20 meeting made by Rep. Brockett; seconded by Rep. Ingraham. The motion was unanimously approved.

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

Moderator Flanigan spoke to the following communications:

- a. A letter from Rep. Brockett and Rep. Everson requesting an amendment to the Town Code regarding committee minutes. This item was sent to Rules and Ordinances.
- b. A letter from citizen Cooke regarding the use of Zoom meetings to allegedly censor citizen comments. The moderator ruled no action be taken and recommended Mr. Cooke take this up with the governor' office *
- c. A letter from citizen Cooke regarding 73-3 of the Town Code concerning land transfers and the requirement of the RTM to approve land transfers. The moderator ruled no action be taken*
- d. A letter from citizen Cooke regarding Blackstone Library. The moderator stated that Blackstone Library falls under the jurisdiction of the Education Committee and ruled no action need be taken. *
- e. A letter from citizen Cooke regarding the Clean Energy Committee. After a brief discussion the Moderator ruled that no action be taken. The moderator noted that

the committee is appointed by the Board of Selectman and suggested that those interested in serving on the committee contact the Board of Selectman. *

- 4. To consider, and if appropriate, create a Blight Ordinance for the Town of Branford.**
 - a. Rep. Black reported that Rules and Ordinance discussed this item and made a motion to re-refer the item. A lengthy discussion followed with questions and comments from both RTM representatives and citizens.
 - b. The motion passed unanimously.

- 5. To consider, and if appropriate, create an Ordinance pertaining to Unused Capital Funds.**
 - a. Rep. Black made a motion to re-referred this item. The motion passed unanimously.

- 6. To consider and if appropriate approve Release of Certain Sanitary Sewer Easements for owners of 15-18-19 Etzel Road.**
 - a. Rep. Alfone reported that there is no longer a need for the easements, this was approved by the WPCA and approved 6-0 at the Administrative Services Committee meeting. Rep. Alfone made a motion to approve this item.
 - b. The motion passed unanimously.

- 7. To consider and if appropriate approve a Contract between the BOE and School Administrators.**
 - a. Rep. Prete reported on this item and made a motion to approve. A detailed presentation was made to the Education Committee by Superintendent Hernandez, Chief Operating Officer Neal, and Board of Education Chair Prins. The Education Committee voted 6-0 to approve this contract. After a brief discussion, including a screenshare presentation by Rep. Riccio the motion, in a roll call vote was approved with 20 yes and 7 no votes. (Rep. Sires was not available for this vote, see attached vote tally).

- 8. To consider, and if appropriate, approve a request from the Finance Director for the following budget transfers:**
 - a. Rep. Black commented that this fund might be better named “the disaster fund”, giving a brief summary of this year’s disasters. This transfer request was heard by the Ways and Means Committee and passed unanimously. Rep. Black put this item forward for approval in the form of a motion.
 - b. Rep. Brockett followed up with additional information related to this item, noting that some federal money was received and there is a possibility for more. Rep. Brockett offered to share the numbers with interested parties.
 - c. The motion was unanimously approved.

From:		
Account	Account #	Amount
Contingency	10149040-588802	\$150,000

To:		
Account	Account #	Amount
Operating Transfer Out FEMA	10150000-599122	\$150,000

- 9. To consider, and if appropriate, approve a request from the First Selectman for the following budget transfer:**
- Rep. Alfone reported that due to an oversight, there was a need for an additional 200.00 this year, which will be returned in next year's budget.
 - This request passed 6-0 at the Administrative Services Committee meeting and Rep. Alfone made a motion for approval.
 - A brief discussion ensued regarding the programs supported by the Women and Families Center with clarification from First Selectman Cosgrove.
 - Further discussion ensued with citizen comments suggesting that single fathers raising a family should be supported as well as single mothers. Clarification was provided, stating that this money is available for families in need, and that perhaps the name of the center needs updating.
 - The motion passed unanimously.

Executive

From:	10141020-555400	Advertising, Printing, Binding	(\$200)
To:	10141020-588225	Women & Families Center	200

- 10. To consider, and if appropriate, approve a request from the First Selectman for the following budget transfer:**

- Rep. Alfone reported that Administrative Services Committee heard this item on Nov. 10 and approved the transfer with a 6-0 vote. He made a motion to approve this item.
- The motion unanimously passed.

Solid Waste

From:	10143040-517000	Salaries	(\$16,760)
To:	10143040-544353	Material Handling	16,760

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

- a. Rep. Black and Rep. Alfone spoke to this item, which was heard at both the Ways and Means and Administrative Services Committees. Rep. Black explained the recommendation in committee to reduce Contingency by 10,000, also reducing Overtime by 10,000.00. The Administrative Services Committee recommended the same 10,000.00 reduction. The item was approved unanimously in both committee meetings. Representatives Black and Alfone made motion' to approve this item.
- b. Discussion ensued with comments from several RTM members and further clarification of this item by Rep. Black.
- c. Rep. Twohill made an amendment to cut the overtime by another 10,000.00 to 28,798.00. Rep. Riccio seconded the motion.
- d. Rep. Black opposed Rep. Twohill's motion clarifying that they will need this funding in order to support the tax department through the end of this year.
- e. After a lengthy discussion by RTM members and citizens, Rep. Twohill's amendment failed in a roll call vote 22 No to 6 Yes.
- f. Rep. Black's and Rep. Alfone's motion' as reported out of committee, which represented a reduction in the overtime to 38,798 passed with 23 yes to 5 no votes.

Original request		
From:		
10149040 588802	Contingency	66,558
To:		
10141070 518000	Overtime	48,798
10141070 533280	Consulting	17,760
Final recommendation		
From:		
10149040 588802	Contingency	56,558
To:		
10141070 518000	Overtime	38,798
10141070 533280	Consulting	17,760

12. Letters and petitions:

Rules & Ordinances Committee

- A. **Letter – Request to review Code of Ethics:** Rep. Black reported on this item. The committee voted to re-refer this item and Rep. Black put this motion forward for approval. After a brief discussion the item was re-referred. *

- B. Letter – Examination of POCD process:** This item was not heard in committee; therefore Rep. Black made a motion to re-refer. The item was re-referred. *
- C. Letter – Examination of State Statute 830G and its uses in Branford:** Rep. Black reported this statute is a State issue. Rep. Black made a motion to remove this from the agenda. After a few comments from the public and a short discussion, the motion to remove this item was unanimously approved. *
- D. 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:** Rep. Sullivan recused himself from this item because his wife is on the Wetlands Commission. Rep. Black spoke to this item and mentioned that it is currently under litigation with Mr. Cooke. Because this is currently under litigation, Rep. Black made a motion to remove the item from the agenda; seconded by Rep. Ingraham. Mr. Cooke disagreed. Moderator Flanigan asked all in favor to respond. The petition was unanimously approved. *
- E. Petition -- An examination of past and present living conditions at Parkside Village housing complex and its oversight by the Branford Housing Authority.**
- a. Rep. Black reported that this petition was heard in committee. Rep. Black stated the town has no control over the housing authority and made a motion to refer this item to the Board of Selectman. A lengthy discussion took place with comments by RTM representatives and citizens. Subsequently, Rep. Everson agreed that the original motion to refer this item to the Board of Selectman should be approved and in addition a letter should be sent to the State to conduct an audit. The motion was unanimously approved. *

Public Services Committee

- A. Letter – Examination of removal of signs on roadways:** Rep. Conklin reported that this letter was heard at the Public Services Committee with a presentation from Mr. Cooke. After a brief explanation Rep. Conklin made a motion to take no action; seconded by Rep. Healy. Rep. Brockett provided further details stating concerns regarding the removal of political signs. Rep. Brockett made a motion to amend Rep. Conklin's motion to send this to the Board of Selectman; seconded by Rep. Sullivan. A brief discussion, with comments and a screen share by citizen Cooke, Rep. Brockett's motion passed in a roll call vote 17 yes to 11 no and the matter was referred to the Board of Selectman. *

Ways and Means Committee

- A. Letter – Approval of 150K in legal fees not heard completely:** Rep. Black said this was heard by the Ways and Means Committee and the committee report is to take no action. He put forward a motion to approve the committee report. Rep. Brockett clarified the issue with details and also recommended it be removed from the agenda because an agreement was reached by the majority and minority leaders in which a quarterly report will be submitted to the Administrative Services Committee. The motion passed unanimously. *

- B. Letter – Examination of the towns undesignated fund:** Rep. Black made a motion to remove this item from the agenda; seconded by Rep. Ingraham. A brief discussion ensued with comments and discussion from both citizens and RTM representatives. The motion passed unanimously. *
- C. Letter -- Request to create a new RTM committee to review “Special Funds” – assigned by Leadership Caucus:** Rep. Black made a motion to remove this item after providing brief background information; the motion was seconded by Rep. Brockett. The motion passed unanimously. *

Administrative Services Committee

- A. Petition -- To consider the possibility of public health hazards emanating from the demolition debris piles at the former Atlantic Wire site.** Rep. Alfone gave a brief summary of discussion that took place at the committee meeting where a motion was made to re-refer the item. The motion passed 6-0 in committee. Rep. Alfone made a motion to re-refer; seconded by Rep. Adelman. The motion to re-refer passed unanimously.
- B. 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:** Rep. Alfone reported that this item was discussed at length at the Administrative Services Committee meeting. A motion to re-refer was approved in committee and passed 6-0. Rep. Alfone made a motion to re-refer this item. The motion passed unanimously. *
- C. Petition -- An examination of the 77-acre Tabor Property, its current use and the development of a master plan:** Rep. Alfone reported that this item was heard at two recent committee meetings and the committee approved a motion 5-0 to request the First Selectman form a committee to oversee potential uses for the Tabor Property and to provide quarterly reports to the Administrative Services Committee. Rep. Alfone made a motion to approve the committee report. After discussion, Rep. Everson offered an amendment to add a timeline. After discussion Rep. Everson’s amendment was withdrawn. The motion was then amended to include a request to the First Selectman to include constituents, town departments, and Fifth district representatives as committee members. The amended motion passed unanimously. *

- ** For a full review concerning the complete discussion of these agenda items the RTM meeting was recorded and is available on BCTV.*

13. Any other Business to come before the RTM:

- b. Rep. Twohill requested a moment of silence for 2 individuals who have passed. Former Branford High School Principal Dr. Edmund Higgins, and former RTM representative John Naysbee

- F. Adjournment:** Motion to adjourn Rep. Torelli; seconded by Rep. Sember

Time: 10:30 pm

Dated this 29th day of November 2020

Respectfully submitted,
Donna Laich
Clerk-Branford RTM

To: Rules and Ordinance Committee

From: Tom Brockett, RTM-Minority Leader/Tracy Everson, RTM-5th District

Re: Amendment to Town Code

Date: October 14, 2020

Dear R & O Committee Members:

It has come to our attention that some RTM Committees take minutes of Committee Meetings, others do not. Further, seldom do we see Committee Minutes posted on the Town website. There is neither a continuity among the committees nor a record of committee meetings. We ask you please consider the following amendment to the Code of the Town of Branford, Connecticut. Specifically, we respectfully request that Rules and Ordinances Committee approve the following amendment to Chapter A236, TOWN MEETING RULES, as follows:

Section A236-4(C)-Rule 4.3 by adding a number 4

NO CURRENT SECTION (4)

PROPOSED SECTION (4)

(4) It shall be the duty and responsibility of each standing or special committee to choose a clerk who shall be responsible for taking the minutes of said committee meeting. The committee clerk shall prepare the minutes of each meeting and shall deliver said minutes to the Town Clerk not later than two weeks after said meeting. The minutes shall be posted on the Town's website.

Wayne N. Cooke

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

September 6, 2020

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

Dear Branford RTM:

Please be advised that a number of Branford boards and commissions are utilizing Zoom technology to censor citizen comments and, in some cases, remove citizens from online town meetings.

These include the Board of Selectmen, Planning and Zoning Commission, the Economic Development Commission, the Clean Energy Commission, and the Branford Housing Authority, although other town bodies may also be engaging in such practices.

In adherence to the governor's Executive Order 7B and the provisions of the First Amendment to the United States Constitution, it is asked that the Branford RTM issue a policy and town-wide order that prohibits citizens from being muted by any means at a town meeting.

Sincerely,

Wayne N. Cooke

Wayne Cooke

Cc: Connecticut Freedom of Information Commission
Branford Board of Selectmen
Branford Ethics Commission

Wayne N. Cooke

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

wncooke@yahoo.com

July 24, 2020

Branford Board of Finance
Branford Town Hall
1019 Main Street
Branford, CT 06405

Dear Branford Board of Finance,

Unlike all other Branford town meetings held during the current health crisis, for some unknown reason your July 21, 2020 meeting was not available by Zoom and only through in-person attendance.

Given that this was in direct violation of current accepted safety procedures and the governor's statewide directives, at your next meeting would you please explain to the community why this was done?

In addition, because agenda items of community interest were voted on at this meeting without your board providing a safe and open forum for public participation, the legality of this meeting is also being challenged with the Connecticut Freedom of Information Commission.

Sincerely,

Wayne Cooke

Wayne Cooke

Cc: Office of the Governor
Connecticut Freedom of Information Commission
Branford RTM
Branford Board of Selectmen
East Shore District Health Department

Wayne N. Cooke

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

September 6, 2020

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

Dear Branford RTM:

At a recent selectmen's meeting, both citizens and public officials alike raised serious concerns about the one-sided Clean Energy Committee's efforts to have only its views and agenda represented in a town-wide energy plan with no public input whatsoever.

As was clear from the meeting, until such objections were raised, it was both the committee's and first selectman's intent to have the biased plan pushed through and adopted with no community involvement or discussion.

In light of this, Branford citizens and RTM members are asked to take an active role in monitoring how the Clean Energy Committee intends to introduce what is now more correctly called the first draft of its skewed energy plan to the community for public consideration and input.

Sincerely,

Wayne N. Cooke

Wayne Cooke

Wayne N. Cooke

612 East Main Street

Branford, CT 06405

203-815-5796

wncooke@yahoo.com

August 18, 2020

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

Dear Branford RTM

In light of recent actions undertaken by the Branford Housing Authority; the continued concerns of citizens regarding possible fraud, corruption, and embezzlement in the management of the Parkside Village complex; and the refusal of the current administration to investigate these concerns appropriately, the RTM is asked to immediately initiate a full and independent forensic audit into this matter.

Because of the nature of these circumstances and the unanswered questions surrounding them, it is emphasized that a full forensic audit and not a routine financial audit must be performed.

Sincerely,

A handwritten signature in black ink, appearing to read "Wayne N. Cooke". The signature is fluid and cursive, with the first name "Wayne" being the most prominent part.

Wayne Cooke

Cc: United States Attorney
State's Attorney Office
Connecticut Attorney General
Branford Ethics Commission
Branford Board of Selectmen
Branford Police Commission