
Board of Selectmen's minutes from 02-07-07

MINUTES OF SELECTMEN'S MEETING

February 7, 2007 – approved by the BOS 3/07/07

Senior Center – 6:00 p.m.

The meeting was called to order at 6:04 p.m. Present at the meeting were First Selectwoman Cheryl P. Morris, Second Selectman Richard Sullivan, Third Selectman John Opie. Also present were RTM representative Kurt Schwanfelder; William Horne, Branford Land Trust, Eliza Cleveland; James Perito (left early); Pam Roy; Marcia Chambers; Mark Zaretsky, reporter, New Haven Register (arrived late); Rod Meehan, reporter, Branford Review (arrived late); Attorney Shelley Marcus, Town Attorney and David Doyle, Town Attorney.

Motion made by First Selectwoman Morris to amend the minutes of the January 17, 2007 to include the following changes: Page two, paragraph 9: After: Motion made by First Selectwoman Morris to approve the reappointment. The following needed to be added: *Seconded by Selectman Opie. Vote unanimous.* Page three, paragraph 3: Commercial Street needs to be *Commercial Street.*

Motion made by Selectman Sullivan to approve the following resolution: BE IT HEREBY RESOLVED that Cheryl P. Morris, First Selectwoman of the Town of Branford, 1019 Main Street, Branford, Connecticut 06405, is authorized to execute an Agreement between the State of Connecticut Office of Policy and Management and the Town of Branford for the “Replacement of traffic lights and sidewalks on Short Beach Road” grant. *Seconded by Selectman Opie. Vote unanimous.*

Motion made by Selectman Sullivan to approve a renewal pawn brokers license to:

Mr. Anthony Lomartra (for the record Lomartra was spelled incorrectly on the agenda) valid from February 17, 2007 to February 16, 2008. *Seconded by Selectman Opie. Vote unanimous.*

Green Use:

Motion made by First Selectwoman Morris to approve a request from Branford Recreation Department for use of the Town Green on July 8, July 15, July 22, July 29 and August 5, 2007 beginning at 6:00 p.m. to hold the annual summer concert series. *Seconded by Selectman Sullivan. Vote unanimous.*

Board of Fire Commissioners – 3 years

Kathy Fox and Paul Riccio terms to expire January 30, 2010. Motion made by Selectman Opie to approve the reappointments. *Seconded by First Selectwoman Morris. Vote unanimous.*

Motion made by First Selectwoman to enter into executive session at 6:12 p.m. to discuss pending tax appeals and Pending litigation – New England Estates, et al v. Town of Branford.

Return to regular session at 7:15 p.m.

For the record no votes were taken while in executive session. Present during executive session were First Selectwoman Cheryl P. Morris, Second Selectman Richard Sullivan, Third Selectman John Opie, Attorney Shelley Marcus, Town Attorney and David Doyle, Town Attorney and David Hurley, Fuss and O’Neill.

Motion made by Selectman Sullivan on advise of Counsel to approve stipulated agreements in three tax appeal cases: 20 Commercial Street Associates v. Town of Branford – 20 Commercial Street; 16 Commercial Street Associates v. Town of Branford – 16 Commercial Street and Harrison v. Town of Branford – 5 Clam Island.

Motion made by Selectman Sullivan on the advise of Counsel to authorize a memorandum of understanding to postpone the trial date to August and allow the applicant to proceed with the necessary application process to the various boards and commissions. Selectman Opie seconded the motion adding that this will need to be considered and approved by the RTM concerning land

disposition. Vote unanimous.

Questions were taken from members of the public RTM Representative Schwanfelder asked the First Selectman why there were discussions of settlement in this case.

Attorney David Doyle responded as follows:

The Trial is scheduled to begin on Friday. Mediation has taken place with Judge Seilbert. Judge Seilbert views the town's exposure differently than he does. Judge Seilbert has suggested ways to solve the matter. Attorney Doyle stated he plans on attending the RTM meeting next week and will discuss the litigation/mediation at great length in executive session.

Various other questions were taken from the public concerning the Tabor litigation.

Selectman Opie suggested that a Special RTM meeting be scheduled to hear this item only.

Correspondence: None

Other: None

Motion made by Selectman Sullivan to adjourn the meeting at 7:30 p.m. Seconded by First Selectwoman Morris. Vote unanimous.

Respectfully Submitted,

Trista Clyne

Clerk