

MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD IMMEDIATELY FOLLOWING THE 7:00 P.M. PUBLIC HEARING HELD ON TUESDAY, JANUARY 10, 2017 IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Robert J. Oris Jr. Chairman; Michael Ecke, Patti Flynn-Harris, Liz Linehan, Sylvia Nichols, Thomas Ruocco, Timothy Slocum and Peter Talbot.

Absent: Paul A. Bowman.

Staff: Michael A. Milone, Town Manager; Alfred Smith, Town Attorney; James Jaskot, Finance Director; Police Chief Neil Dryfe

Guest: Detective Dennis Boucher; PBC Member Art Crooker.

1. ROLL CALL

The clerk called the roll and a quorum was determined to be present.

2. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

3. ITEMS FOR EXECUTIVE SESSION

A. Personnel Matters

B. Pending Litigation

MOTION by Mr. Ruocco; seconded by Mr. Slocum.

MOVED that the Town Council enter Executive Session at 7:15 p.m. to include Town Manager Milone and Town Attorney Smith to discuss personnel matters and pending litigation.

VOTE The motion passed unanimously by those present.

MOTION by Mr. Talbot; seconded by Mr. Slocum.

MOVED to exit Executive Session at 7:35 p.m.

VOTE The motion passed unanimously by those present.

4. PUBLIC COMMUNICATIONS

A. Recognition of Employee of the Year Detective Dennis Boucher.

Police Chief Dryfe introduced Detective Dennis Boucher to the Council and the public as the "Employee of the Year", and read the nomination from his superior into the record. Chief Dryfe noted Det. Boucher's 30+ years of dedicated service to the

Cheshire Community. He said it is an honor and pleasure to have Det. Boucher working for the Cheshire Police Department.

Chairman Oris presented Det. Boucher with a Certification of Recognition on behalf of the Town Council and the Cheshire community, and commended him for his many years of service as a police officer.

Det. Boucher thanked the Council for his recognition as "Employee of the Year", and stated it is an honor to serve Cheshire, the town in which he was born and raised.

B. Public Comments

Cindy Kleist, 251 Lancaster Way, talked about the December 2016 disbursements lists, questioned some of the items (i.e. Hines, Pops Pizza, W.G.Mason, Staples, Trans Canada), and asked why she was not given an immediate response to her inquiries.

Town Manager Milone noted that Asst. Town Manager Talbot sent Ms. Kleist an e-mail informing her it would take time, a week+, to research all the distributions and send the information. There are no answers at this meeting, and when the list is vetted there will be answers provided.

Stating he appreciates the e-mail he received and the valid questions posed, Chairman Oris said Ms. Kleist will receive the information in the appropriate time frame.

With respect to the Trans Canada expenditure, Mr. Milone explained that this is one of the energy providers to the Town, with a lock-in of favorable rates. Regarding Staples and W. Mason, these are expenditures for products used in the operation of town business.

Derf Kleist, 251 Lancaster Way, distributed copies of information on social security, COLA increases as they are related to senior citizen tax breaks. He stated senior citizens should get breaks equal to the tax increases.

Councilor Ecke advised that the issue of an increase in tax credits was discussed at the Budget Committee meeting, and will be an agenda item for the February committee meeting.

Guy Darter, 309 Cedar Lane, stated his support for the appointment of Tim Slocum to the RWA Policy Board. He supports the portable ice skating rink, but questioned the source of funding.

Mr. Milone stated the funding will come from the Parks and Recreation Department budget to the extent it can be absorbed, and additional funding will come from the contingency account transfer. If the rink is proposed as a permanent part of the Parks and Rec budget for next year it would become part of the operating budget.

Mr. Darter suggested sponsorships for the rink from local businesses to offset the costs.

This has been discussed and Ms. Flynn-Harris stated Director Ceccolini brought it to the Ordinance Review Committee. The sponsorship recommendation is being considered for the pool scoreboard, summer concerts, portable rink...but no plans are in place at this time. Everything must be done in accordance with the Town signage ordinance.

Chairman Oris said the Council must approve a sponsorship program for the Parks and Rec, BOE, etc. When it is appropriate under a policy, the parameters would be dictated, and income would be generated.

Mr. Darter commented on the teacher contract, which he has read. He commented on some of the items in the contract -- 1% to 8% raises on various steps, coaching hours and compensation at \$40 per hour, a teacher assault charge with the BOE providing payment for legal counsel, medical benefits fully paid until retirement age. Mr. Darter stated this contract should go to arbitration as it is excessive and cannot be any worse.

It was stated by Chairman Oris that the Council has little oversight and control over the BOE budget. The Council will vote on the contract issues later in the meeting, and he said he shares some of the same concerns, particularly in light of the State aid cuts coming to the Town.

William Kealy, 20 Harvest Court, stated his disappointment on the rates in the teachers' contract...3.2% to 3.8% when other towns are getting 1.2% to 1.8% increases. The City of Hartford is facing a 200 teacher layoff and school closures; businesses are moving out of Connecticut; and there are millions of dollars in benefits in the teachers' contract. Mr. Kealy said there are many research people he knows with a vested interest in education who are willing to contribute and he has approached the BOE about this information with no response. He asked about getting information on the revenue side of the BOE budget.

Stating the Council knows and understands the issues related to the teacher's contract, Chairman Oris stated the matter would be addressed by the Council, putting the best interests of the community in the forefront.

**5. APPROVAL OF MINUTES - Regular Meeting of December 14, 2016;
Special Meetings of December 6, 2016 and January 4, 2017.**

MOTION by Ms. Nichols; seconded by Mr. Talbot.

MOVED to approve the minutes of the Regular Meeting of December 14, 2016 and Special Meetings of December 6, 2016 and January 4, 2016 subject to corrections, additions, deletions.

Discussion

Mr. Ruocco asked for a breakdown of the vote on the vacation plan for employees in the December 14, 2016 minutes.

VOTE The motion passed unanimously by those present.

6. **CONSENT CALENDAR**

MOTION by Mr. Slocum; seconded by Ms. Nichols.

BE IT RESOLVED, that the Town Council approves Resolution #011017-1

**RESOLUTION #011017-1
CONSENT CALENDAR FOR JANUARY 10, 2017**

BE IT RESOLVED, that the Town Council approves the Consent Calendar for January 10, 2017 as follows:

- A. Acceptance and appropriation of a \$115 donation from the Town Employees Dress Down Fund to the Human Services Gift Account for general purposes.
- B. Acceptance and appropriation of a \$500 donation from Michael and Marilyn Dangelo to the Cheshire Fuel Bank,
- C. Acceptance and appropriation of \$1,062 from the proceeds for the Artsplace Arts Bazaar to the CPFPA Gift Account for scholarships.
- D. Acceptance and appropriation of a \$100 anonymous donation to the Human Services Gift Account for general purposes.
- E. Acceptance and appropriation of a \$50 anonymous donation to the Human Services Gift Account for general purposes.
- F. Acceptance and appropriation of a \$800 donation from Mary Ann Gale to the Human Services Gift Account for general purposes.
- G. Acceptance and appropriation of a \$1,000 donation from F.F. Hitchcock To the Human Services Gift Account for general purposes.
- H. Acceptance and appropriation of a \$1,000 donation from CK Greenhouses To the Human Services Gift Account for general purposes.
- I. Acceptance and appropriation of a \$3,500 donation from Temple Lodge No.16 To the Human Services Gift Account for general purposes.
- J. Acceptance and appropriation of a \$300 donation from Catherine Devlin in Memory of Priscilla Line Batty to the Cheshire Fuel Bank.
- K. Acceptance and appropriation of a matching \$250,000 Connecticut State Library Construction Grant for the Phase 2 Library Reconfiguration Project.

VOTE The motion passed unanimously by those present.

- 7. **ITEMS REMOVED FROM CONSENT CALENDAR**
- 8. **OLD BUSINESS**

A. Mitigation Plan for State municipal aid reductions.

MOTION by Mr. Slocum; seconded by Ms. Nichols.

BE IT RESOLVED, that the Town Council approves Resolution #011017-2

RESOLUTION #011110-2

BE IT RESOLVED, that the Town Council approves the following options to mitigate State aid reductions totaling \$603,424:

The General Government portion of the budget will freeze the following amounts in the indicated accounts:

1.	Medical Benefits Rate Savings	\$ 31,950
2.	Stop/Loss Insurance Savings	\$ 55,207
3.	Debt Service Savings	\$ 96,465
4.	Freeze a portion of CNR Fund Transfer	\$ 0
	General Government Total	\$183,622

And the Board of Education will freeze \$491,802 of their current operation budget.

Discussion

Mr. Slocum stated that in calculating the apportionment, Town Manager Milone backed out CNR, Debt Service and Contingency to get to the net budget percentage of 92.5%. The total reduction in State aid is \$603,424. The BOE portion is 69.57% or \$419,802 of its current budget, and the Town portion is 34.3% or \$183,622 of its current budget. The percentages reflect the actual BOE and Town Government budgets. Mr. Slocum pointed out that the Council, under State Statute, has the right to reduce budgets accordingly. The Budget Committee's suggestion is to use this percentage allocation should further State reductions come forward.

The BOE members and administration attended the January 4th Council Budget Committee meeting when this matter was discussed. Mr. Slocum said the BOE was aware of 63%/37% split, and the Town Charter section with the State statute was read into the record of the meeting.

Mr. Milone advised that he calculated the percentages based on the proportionate share of the BOE and Town Council. The BOE was present for the discussion but not the final

outcome on the percentages. On the Town Government side, as was done last year, department heads will look at their budgets, and service reductions will be done, if necessary.

Mr. Milone commented on continued efforts to save money, the painful year ahead, and the need to continue to look at ways to cut spending and services.

No one is pleased about these budget reductions and Mr. Oris said with \$600,000+ in State aid reductions we must find an equitable way to reduce the budgets. It is his hope to continue expected community services, and he is confident the BOE will absorb the reduction while keeping a quality education program.

Mr. Oris further commented on letting the State Legislature know that Cheshire is a fiscally responsible community, and should not be penalized...with State money going to communities that are not fiscally responsible. Mr. Oris commented on Town Manager Milone's excellent management of the Town's finances, and his confidence that Cheshire will absorb the cuts without too many problems.

VOTE The motion passed unanimously by those present.

9. NEW BUSINESS

A. Conflict of Interest notification and disclosures

A copy of the Conflict of Interest Ordinance is attached to these minutes.

Town Manager Milone informed the Council that each employee has received their annual disclosure reminder and the Town is in the process of transmitting a copy to all elected and appointed officials serving on boards, commissions, committees.

Town Manager Milone referred to his memo of January 6, 2017 to the Town Council on the subject of Annual Disclosure of Conflict of Interest. Mr. Milone personally submitted his annual disclosure of Conflict of Interest as it relates to Milone & MacBroom, H.D. Segur Insurance, the law firm of Murtha Cullina and his personal relationship with Attorney Al Smith, Lead Counsel to the Town.

Chairman Oris stated that it is the duty and obligation for all members of boards, commissions, committees to state a conflict of interest.

B. Bidding Requirements

MOTION by Mr. Slocum; seconded by Ms. Flynn-Harris

BE IT RESOLVED, that the Town Council approves Resolution #011017-3

RESOLUTION #011110-3

BE IT RESOLVED, that pursuant to Section 7-8(C)(1) of the Town Charter, the Town Council approves the requirements for sealed bids for February 1, 2017 through January 31, 2018, at a \$14,000 bid limit for non-construction related services and a \$28,000 bid limit for construction related services, and

BE IT FURTHER RESOLVED, That in accordance with Section 7-8 (C)(9) and Section 7-8 (C) (10) of the Town Charter, the Town Council authorizes the Town Manager, his designee and the Cheshire Public Schools to purchase goods or services for the Town without bids (1) through the State of Connecticut Department of Administrative Services and (2) in conjunction with other municipalities and regional and federal government purchasing entities, including but not limited to:

U.S. Government General Services Administration
Capital Regional Council of Governments and any successor organization
Connecticut Library Consortium
Library Connection Inc.
National Joint Powers Alliance
Council of Government of the Central Naugatuck Valley and any successor Organization
Capital Region Education Council
Western State Contracting Alliance (WSCA) - National Association of State Procurement Officials (NASPO) Cooperative Purchasing Organization
Houston/Galveston Area Cooperative (HGAC)

Discussion

There is no change from last year when changes were made, and Mr. Slocum said this is an annual action of the Council.

Mr. Milone confirmed the fact that there is extensive solicitation for all purchases and best prices.

VOTE The motion passed unanimously by those present.

C. Action re: ratified Education Association of Cheshire four-year contract.

MOTION by Ms. Nichols; seconded by Mr. Slocum

BE IT RESOLVED, that the Town Council approves Resolution #011117-4

RESOLUTION #011117-4

BE IT RESOLVED, that the Town Council rejects the Education Association of Cheshire four year contract term FY 2017 to FY 2021.

Discussion

Ms. Nichols stated that this contract represents \$3.5 to \$4 million increase over the next four years even with some medical benefit offsets, and it is time for a reality check.

The Council is facing increasing costs and requests from all town departments; there is the debt service for the WWTP; and expectation of significant but unknown reductions in State funding over the next few years. Ms. Nichols represents citizens of Cheshire of all ages, people facing job insecurities, wage freezes, increasing health care costs, taxes, and older residents on fixed incomes. We are in an uphill battle to retain and attract more businesses to support our tax base. The primary source of revenue is property taxes. The elected representatives (BOE and Council) spend numerous volunteer hours to deliver the best services to the community within a budget. There comes a time to stand up and refuse to spend beyond our means. She recognizes that teachers and administrators do an outstanding job for our students, and quality education is the building block for our society. The BOE devoted long hours and good faith to the negotiation process. She said our educators deserve fair compensation...and bargaining units like businesses in the private sector also need to recognize the reality. Many people in the private sector are not receiving any pay increases while being asked to work more hours. Many older citizens are being forced to work well beyond their expected retirement age. By approving a budget beyond our means there is a real possibility that the very students and educators we seek to protect will be affected negatively. Money cannot be pulled out of thin air; we cannot raise the tax burden on citizens to unsustainable levels; and if this contract cannot be funded we run the risk of laying off teachers, increase in class sizes, reduction in course content...or any combination. No one wants to do this. Ms. Nichols said the reality is that the town has only so much money...and for all these reasons and more...she will vote to reject the teacher's contract. It is true that by arbitrating this contract there is a risk of incurring greater expense. If that is the result it will prove her point and the town will be forced to make deeper cuts and Ms. Nichols is hopeful logic will prevail. Ms. Nichols said she would vote to reject the EAC contract.

Mr. Slocum stated he would vote to reject the four year contract negotiated by the BOE with the teachers' union and this is not taken lightly. Mr. Slocum cited his principal objections. The State does not have its fiscal house in order; there have been reductions of \$603,424 to Cheshire, with \$420,000 in cuts to the BOE; the 2017 adopted budget included teacher and support staff salary increases of over \$1 million. He asked where the BOE would cut now...band, sports, pencils. The new teacher four wage increases average 3.5%, ahead of management's 2.5% increase; in year #4 of the contract the average teacher will be earning \$87,000; some teachers receive an 8% increase, some less. Concessions or union trade-offs include savings in benefit costs, increase in deductibles and cost sharing on coverage costs...all far short of management asks. The threat of binding arbitration makes the union master the management, a process that brings capitulation by management, and by extension the taxpayer result is a bad deal. The State has a rigged system on how towns spend money on education...they cannot spend less than the year before. With declining State money Mr. Slocum asked how many towns can keep up and for how long...will there be fewer staff positions with declining enrollment...and the answer is no/never. In his opinion we are approaching luxury status with the current ratios. There is a hole to be filled with State cutbacks to local taxpayers, and Mr. Slocum speaks for these taxpayers who must pay increasing budget demands when their households have not

seen a salary increase for a long time. Mr. Slocum talked about the impact on the children...the annual guilt trip that is unfair to all families...and he said this contract is not grossly unfair but is far too imperfect to get his support.

Stating he agreed with the statements made, Mr. Ecke said every time we go through the process of voting on a teachers' contract, get to the end, do not like the contract, sit with the attorney who says the town will not win going to binding arbitration and it will cost \$25,000. Each time Mr. Ecke has not thought it was worth the \$25,000, and we should go with the contract. This time is different; this contract must go to arbitration; we have to make a stand and communicate that this cannot go on forever. People in town are not getting the increases being given to teachers, or the health benefits, retirement benefits, etc. It is difficult for the Council, as the taxing authority, to ask people to continue to pay for this. He will vote to reject this contract, and go to arbitration. Mr. Ecke cited his good record of supporting education, supporting what is needed for the town, what BOE needs, but it is now time to be more realistic. Things will not get easier for Cheshire or the State, and having a four year deal means no changes for four years. It is his hope that, maybe, someone in Hartford is listening when Cheshire says it cannot afford this contract, and cannot go forward like this anymore. Mr. Ecke said he would vote to reject the EAC contract, with the hope that arbitration is a fair process, taking into account the current economic conditions of the State and Cheshire's taxpayers.

Mr. Talbot said he has always been pro-education as a Councilor, and his vote will reflect this as it is not against education. His vote is looking at what he feels is an unrealistic and unsustainable contract. Given the economic climate we face from the State and debt spike with the treatment plant, this will be the toughest budget season for the Council. Mr. Talbot stated he would vote to send the EAC contract to arbitration. This is a gamble, rolling the dice saying we are putting up \$25,000 to come out with a better contract than the one facing the Council tonight. Mr. Talbot noted this is a ceremonial vote, which says it cannot continue, and the Council tells taxpayers we tried to do the right thing for them. Mr. Talbot will vote to reject the contract.

Ms. Flynn-Harris commented on the difficult decision she must make as a supporter of unions and former union member. It is difficult to decide to go to arbitration for all reasons mentioned and the cost, and it is a gamble. There is another issue besides monetary and economic that was brought to Council's attention in discussions with the BOE...and that is the requirement or request brought to the table by high school teachers to teach five (5) classes a day rather than six (6). It was pointed out that Cheshire is one of two school districts in the State where this occurs...other high school teachers are teaching five (5) classes a day out of eight (8) periods a day. Of importance is the fact this is an issue brought up in discussions with the EAC and BOE, but it has never come to the table before. Ms. Flynn-Harris said it was known, something discussed, and it will have a major impact on the course schedules, impact on class sizes, and number of teachers needed. Her feeling is similar to the way she looks at other issues regarding BOE needs, the master facility plan kicked down the road many times before...and it is time for the BOE to deal with this issue. Ms. Flynn-

Harris will be supportive of the BOE as they try to do this, but putting this issue off for another four years at the end of the contract...when there may be more dire economic conditions...is unfair to the town, the sitting Council in four years, teachers, the union. This issue must be addressed now and dealt with. Along with all the other economic issues, Ms. Flynn-Harris hopes we win in arbitration. If we don't, and the five classes a day is a major issue with a contract going into effect in July...the BOE and administration has time and ability to work on this issue to adjust to the new economic reality. Ms. Flynn-Harris said she would vote to reject the EAC contract and have it go to arbitration.

Ms. Linehan echoed all the statements made by other Councilors. She is a supporter of education and will continue this support, but agrees we need to separate out what is coming down the pike. She will be spending time in Hartford as a new legislator, and sees things coming...and will vote to reject the EAC contract.

Mr. Ruocco said rejection of the EAC contract is long overdue, and it has been a disservice to wait this long to push back on these contracts. We must learn to operate in a climate of declining revenue; there is growing disparity between benefits and working conditions experienced in the public and private sectors. In the EAC contract there are things which are not right, such as zero co-pays for certain prescription drugs, large step increases in salaries...and other things which need to be negotiated. Mr. Ruocco commented on the unfair arbitration process, taking a chance on going to arbitration, but said it will convey to younger teachers their need to support some concessions. If the budget is cut, and teachers are laid off, it goes by tenure, with younger teachers losing their jobs. One of the biggest threats to public service are these contracts, which force fiscal authorities (the Council) to make financial decisions over things he cannot control. Mr. Ruocco admires his fellow Councilors for their camaraderie and making the difficult decision on the EAC contract. Mr. Ruocco will vote to reject the EAC contract.

Chairman Oris does not think this contract reflects the current fiscal times in Connecticut. He is a strong supporter of the school system, the students, programs, etc. and insuring it continues to be top notch. Property values are based on a quality educational system, and Mr. Oris noted that people move to Cheshire because of the school system. The decision he makes is not taken lightly; it is no referendum against teachers who he immensely respects, who do great work, build our youth and future; and this is the most important job out there. But, there is a time and place to take a stand, and because this contract does not reflect the current fiscal times in Connecticut, he cannot support it. The reality is the town cannot sustain these kinds of increases; there is room in the contract for negotiation; we are behind the averages in health care contributions. In talking about 3.2% or 3.3% salary increases as average...this is on the surface, and the totality of the Cheshire EAC agreement must be looked at compared to the totality of other agreements. As Mr. Oris looks at the totality as a layman, he sees room for further negotiation, and is hopeful teachers and the town work together. If we cannot afford to fund these contracts, there will have to be layoffs...which the Council does not control, as it only controls the budget. Without the

BOE having the funds to sustain the growth, there must be program changes or teacher layoffs. Mr. Oris cited his hope that program changes would be further down the BOE list. With his vote tonight, Mr. Oris said it is with taxpayers in mind, as they cannot absorb this teachers' contract, and the Council must take a stand.

Chairman Oris commended Council members for taking a united stand on the EAC contract, regardless of party affiliation etc. This sends the right message to the community...the Council is working together to do what is in the best interests of the community...and this is what they were elected to do. Mr. Oris expressed hope that the teachers understand the reason for the Council's vote to reject the contract...it is not a referendum against teachers. There are bigger picture items the Council must address, with the need to send the right message to take a stand and get our financial house in order...and send the message to the State to get its financial house in order.

VOTE The motion passed unanimously by those present.

D. Discussion re: proposed Tobacco Free Parks ordinance

A copy of the proposed new ordinance was in the Council packets. There was no discussion or action taken and the agenda item will be discussed at the next Council meeting.

E. Approval of the Public Works collective bargaining agreement.

MOTION by Mr. Ruocco; seconded by Mr. Slocum.

BE IT RESOLVED, that the Town Council approves Resolution #011117-5

RESOLUTION #011117-5

BE IT RESOLVED, that the Town Council approves the collective bargaining agreement between the Town of Cheshire and the Public Works union Local 1303-202 of Council 4, AFSCME, AFL-CIO for the term of July 1, 2106 through June 30, 2020, under the terms presented.

Discussion

Mr. Ruocco stated this contract has a 2.4% annual wage increase, eliminates the PPO, has an increase in the HMO contribution level and HSA premium shares and deductibles, phases out insurance waivers, and is an overall 1.8% increase. Mr. Ruocco said he would not support the resolution.

Chairman Oris commented on this being a reasonable contract, not ideal, with an overall 1.88% average increase, changes in contributions, and phase out of the waiver plan. He will support this contract.

VOTE The motion passed 6 in favor; 2 opposed (Ruocco and Slocum).

F. Amendments to elderly tax relief programs.

i. Call for public hearing for amendments to the elderly tax relief ordinance Section 17-6.

MOTION by Ms. Nichols; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #011710-6

RESOLUTION #011017-6

BE IT RESOLVED, that the Town Council calls for a public hearing to consider an extension to the elderly tax relief ordinance Section 17-6.

VOTE The motion passed unanimously by those present.

ii. for public hearing for amendments to the elderly tax freeze Section 17-6.

MOTION by Ms. Nichols; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #011710-7

RESOLUTION #011017-7

BE IT RESOLVED, that the Town Council calls for a public hearing to consider an extension to the elderly tax freeze ordinance Section 17-15.

VOTE The motion passed unanimously by those present.

iii. Approval of income levels for the 2015 Local Elderly Property Tax Credit Program.

MOTION by Ms. Nichols; seconded by Ms. Flynn-Harris.

BE IT RESOLVED, that the Town Council approves Resolution #011710-8

RESOLUTION #011017-8

BE IT RESOLVED, that the Town Council makes no changes to the property tax relief credits and qualifying incomes in the ordinance Sections 17-6 (a) and 17-6 (a) (3) for the 2015 Grand List.

Discussion

Ms. Nichols explained that the State has not changed its income levels and the Town levels are based on State levels. The Budget Committee will consider a review of the local income levels at its next meeting.

According to Mr. Slocum, the Town Manager will bring information on the scale of increases for Budget Committee discussion.

Mr. Milone urged the Council to pass the resolution in order for eligible applicants to apply for the program starting on February 1st. The credits can be changed up to June 1, 2017, in time for July tax bills. Mr. Milone noted that Cheshire is one of the few towns in Connecticut offering a tax credit program. The State has increased income limits over the years but not the tax credit limits. During the application process, the applicants will be informed of the possible increase in credits in time for the July tax bills.

It was stated by Mr. Ruocco that the local amounts are above those in the State program, and must be passed by the Council.

VOTE The motion passed unanimously by those present.

G. Authorization to purchase portable skating rink and implement skating program.

MOTION by Ms. Nichols; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #011710-9

RESOLUTION #011017-9

BE IT RESOLVED, that the Town Council authorizes the purchase of a portable outdoor skating rink to be used at the Youth Center basketball courts and further authorizes implementation of a skating program including monitors.

Discussion

This is brought to the Council as an additional recreational venue for the community and Ms. Nichols advised the \$10,000 cost is for the portable rink and monitors. It will be paid out of the Parks and Rec budget with possible sponsorships covering some costs, or adjustments from the contingency fund.

Mr. Ruocco considers this a good idea and one enjoyed by people of all ages. He does not support it this year, and said it should be in next year's budget. This is not the way contingency funds should be used.

The Council was informed by Mr. Milone that Town crews will construct the rink, and during the winter season these employees are deployed to work on many projects.

With location of the rink at the Youth Center basketball courts, which will be replaced next year, Ms. Flynn-Harris asked about the rink location for next year.

The location for next year has not been decided yet, and Mr. Milone commented on the basketball courts as the best location with parking, bathrooms, and lights for use of the rink. The monitors will be on site for safety of the users and care of the facility.

Chairman Oris said the actual rink cost is a one time cost of \$5,400, plus costs for the monitors. He supports this resolution and said it is an inexpensive way to offer people of all ages something productive and enjoyable, learn to skate, and it is a wonderful recreational opportunity for the community.

It was emphasized by Ms. Nichols that this is not a hockey rink...it is an ice skating rink for families and children and people of all ages to enjoy a fun recreational activity.

The liability of the Town and insurance was raised by Mr. Slocum.

Mr. Milone said that monitors will be used for safety of users, organization and care of the rink, and Mr. Ceccolini will provide reports on the use and monitoring. He will verify the insurance under the broad policy of the Town and inform the Council.

VOTE The motion passed 7 -1; opposed - Ruocco.

H. Extension of fee schedule for special duty police vehicles.

MOTION by Mr. Slocum; seconded by Ms. Flynn-Harris.

BE IT RESOLVED, that the Town Council approves Resolution #011710-10

RESOLUTION #011017-10

BE IT RESOLVED, that the Town Council extends the pilot program charging a fee for use of a Cheshire Police Vehicle at an extra duty job site at the current rate of \$25 per hour used, until further changes or revocation by the Town Council.

Discussion

Chief Dryfe informed the Council that this program was more successful than expected, with \$17,300 of revenue in 6 months, without many expenditures. There was no additional maintenance costs for vehicles. The voluntary program was well received by vendors. There are no concerns about continuing this program.

Chairman Oris said it is routine for cruisers to accompany a police officer on night duty for protection and safety, without vendor payment for the police vehicle. He asked about requiring outside contractors to pay for these vehicles on night job sites.

This has been done for years for officer safety when on night duty and to have emergency lights. Chief Dryfe stated that without support of a town ordinance, vendors could refuse to spend \$25 an hour for a police car. The program has run for 6 months, and can be expanded through proper channels under an ordinance.

Chairman Oris can refer this matter to the Ordinance Review Committee as the next step in the process, and stated his support for a cruiser on nighttime duty paid for by the vendor.

VOTE The motion passed unanimously by those present.

I. Authorization to waive bidding to negotiate and hire a designer for the Schools lavatory capital project.

MOTION by Mr. Slocum; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #011710-11

RESOLUTION #011017-11

WHEREAS, the Public Building Commission (PBC) hired Silver/Petrucci & Associates through the RFP process in 2015 for the Norton Elementary School Lavatory capital project, and is completely satisfied with their work,

WHEREAS, the PBC wishes to retain Silver/Petrucci & Associates for the design, bidding and construction administration of the 2017 Districtwide Lavatory Improvements Project, and

WHEREAS, the Council finds it is in the best interests of the Town to award a contract to Silver/Petrucci & Associates at their proposed price of \$29,925,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council, pursuant to Section 7-8(c) (11) of the Town Charter, approves a waiver of bid for the design, bidding and construction administration of the Norton Elementary School Lavatory capital project, and authorizes the PBC to award the contract to Silver/Petrucci & Associates.

Discussion

Art Crocker, PBC Member, explained that Silver/Petrucci has given the town a reduction in fees, is aware of the additional bathroom projects, has done a good job with past projects, and the PBC requests keeping them for the next project. This is a summer project.

Ms. Nichols commented on the process for the Norton School project, which was well done and she has no objections for the same company to pursue the project.

VOTE The motion passed unanimously by those present.

J. Award of bid for Cheshire Public Schools sidewalk replacements.

MOTION by Mr. Slocum; seconded by Ms. Flynn-Harris.

BE IT RESOLVED, that the Town Council approves Resolution #011710-12

RESOLUTION #011017-12

BE IT RESOLVED, that the Town Council approves the specifications recommended by the Public Building Commission (PBC) for the Districtwide Sidewalk Improvements Capital Project, and authorizes the PBC to go to bid for said project.

Discussion

Art Crooker, PBC Member, explained that the town has been using the same contractor who has done a very good job, and has held costs for a long time. Now, this contractor must increase costs; the project must go out to bid; and the contractor may re-bid, and if costs are reasonable he could be used again.

Mr. Oris asked about compaction testing, the sub-base being done properly and this being on the contractor.

Stating he was not familiar with the sub-base of the project, Mr. Crooker advised that Town crews and BOE monitor what is being done on the job, and everything is to the specs in the bid.

Mr. Milone will check this out with PW Director Noewatne.

VOTE The motion passed unanimously by those present.

K. Revision of Clerk of Council contract.

MOTION by Mr. Ruocco; seconded by Ms. Flynn-Harris.

BE IT RESOLVED, that the Town Council approves Resolution #011710-13

RESOLUTION #011017-13

BE IT RESOLVED, that the Town Council revised the Contractual Services Agreement with Council Clerk Marilyn W. Milton to include a two-hour minimum in the Regular Payment Rate for Services retroactive to March 1, 2016.

VOTE The motion passed unanimously by those present.

10. TOWN MANAGER'S REPORT AND COMMUNICATIONS

A. Monthly Status Report - in Council packets

**B. Department Status Reports: Police, Fire, Fire Marshal.
In Council packets**

C. Other Reports

Financial Report - there is \$100,000 more revenue from the supplemental motor vehicle taxes; all other budgets (Community Pool, WPCD) are in line.

F.Y. Pre-Budget Estimates, 2018

To be discussed later in the meeting.

Doreen Pulisciano Dedication - Dedication scheduled for Thursday, January 26th, 3:30 p.m. at the Senior Center.

Police - RAD Program - The RAD program was highlighted in the CCM magazine.

Covanta Amended Agreement - the plan is to close the Wallingford Plant and bring the town's trash to the Bristol facility and this makes financial sense. There are some concerns about long delays at the Bristol site because of the additional tonnage. Mr. Milone reported three municipalities are leaving this site so Cheshire's additional tonnage will not cause delays. The Policy Board meets on Wednesday to review the changes.

Town Hall Water Damage - The damage estimate is between \$200,000 and \$250,000; there is damage to the Human Services and Registrars of Voters offices, and basement damage requiring records to be restored. Mr. Milone commented on his letter to Chief Casner and the Cheshire Fire Department firefighters, thanking them for their outstanding efforts which resulted in minimal loss to the Town Hall building. He recognized their work as being above and beyond their duty.

Community Pool Project Completion Notification - the completion report was in the Council packets; the project came in under budget.

Public Works Projects - Status Report - in the Council packets.

Wastewater Treatment Plant Lawsuit against the State - January 31, 2017

Mr. Milone, Mr. Gancarz, Supt. Dievert, and former PW Director Joe Michaelangelo will be in Hartford for the court hearing. It is hoped there will be a successful outcome on the \$7.5 million lawsuit. The Judge will have a pre-trial meeting next week with the State and Cheshire is on call for this meeting.

Town Hall Closed - January 16, 2017, Martin Luther King Jr. Birthday

F.Y. Pre-Budget Estimates, 2018 - the "Financial Summary" (page 2A of handouts) was reviewed by Mr. Milone and Mr. Jaskot with the Council. The fund balance is higher than expected; medical claims are trending positive, with a 1% to 1.5% premium increase for next year.

Page 2C - Biennial Budget Projections; \$2.7 million increase; and a big debt service increase projected to \$10.5 million in FY 2018.

Page 2D - Projected Debt Service Analysis. Existing Bond Debt - \$6.828 million; \$3.470 million increase over prior year in 2018.

Page 2E - Plan to deal with the five year problem was reviewed by Mr. Milone and Mr. Jaskot.

Gross WPCD debt (over 5 years) is \$9.412 million; in the first year, \$3.3 million is 35.08% of the gross WPCD debt (FY 2018). This was applied to the debt reserve of \$6,526,640 to figure out how to allocate this money over the next five years. It was done proportionately based on the percentages. This shows \$2,289,540 to be used next year from debt reserve; this does not bring debt service down far enough; there is still an increase of \$1,180,991. Other options were looked at to further mitigate this increase. It was recommended to use \$200,000 from the Energy Rebate Fund, \$200,000 from the WWTP fund balance, \$200,000 General Fund Balance, increase tax collection by 1/10 of a mill. This creates another \$685,000, bringing debt service increase to \$495,991 in FY 2018. This also modeled the 2nd year to bring down the spike in debt service. In FY 2019 (year #2) the debt service increase is \$424,853; through to year #5 (FY 2022) there is a moderate increase. This is a starting point to get debt to where it is manageable, and there can be focus on the BOE and Town Government

Page 2B - FY 1017-2018 Budget Pre-Planning - this information is a summary, and two scenarios for consideration. Going into FY 2018 there are identified reductions, tax payment/one time revenue from Alexion...next fiscal year starts with \$933,609 less in revenue. There are no assumptions about any additional revenue sources...i.e. growth from the grand list.

With the Covanta arrangement to move our trash disposal to Bristol, there is a one time \$300,000 payment to Cheshire.

Expenditures - this is a forecast of expenditures under two different scenarios; \$495,991 in net debt service was input; no changes to CNR or Contingency.

For Town Government and BOE there were two scenarios.

Scenario #I - estimates from biennial budget.

This is the biennial budget put together last spring by Mr. Milone and Mr. Jaskot. Some assumptions were made for increases; increases for Town and BOE were added to the three elements already identified - Debt Service, CNR and Contingency. Based on the biennial budget information General Government grows by \$1.381 million; Education by \$2.166 million. Adding this to the \$495,000 for debt service, and revenue loss due to the State reductions and loss of Alexion revenue, there is an increase and total budget gap of \$4,978,041 - 1.84 mills or 5.9%. One mill = \$2,701,498.

Scenario #II - average increases over 5 years

This takes the three elements (Debt Service, CNR and Contingency), coming up with new assumptions for General Government and Education. The five year average percentage increase in General Government and Education budgets were looked at. General Government has increased by 2.32%; when applied to the existing budget the increase is \$704,165. Using the same approach with the BOE budget which has increased by 2.52%, their increase is just over \$1.748 million. The total increase for Town and BOE is \$2,948,923; add \$495,000 debt service, and factor in revenue loss of \$933,609...there is a budget gap of about \$3.8 million which is 1.44 mills or 4.6%.

This information provides the Council with where things are starting, what the pressure points are going to be.

Town Manager Milone informed the Council that he and Mr. Jaskot attended a CCM meeting earlier in the day. Every legislature speaking at this meeting wants to restore ECS funding, but there is no money to restore anything at the State level. The hope is to sustain what we have, without cuts going deeper. Mr. Milone does not know how the State will balance its budget without more reductions or an increase in taxes.

The Council was told by Mr. Milone that Town administrators have ideas about reorganization and consolidations and retirements, bringing programs and services together, which will all be reviewed and discussed with the Council.

11. REPORTS OF COMMITTEES OF THE COUNCIL.

A. Chairman's Report

i. Appointment of the Regional Water Authority Policy Board Representative.

Chairman Oris appointed Timothy Slocum, 1285 Lilac Court, Cheshire CT 06410, as Cheshire's representative to the RWA Policy Board, to replace David Borowy who was appointed to the RWA Board of Directors. The term of office is January 1, 2017 through June 30, 2019. Mr. Oris said that Mr. Slocum will do a good job representing Cheshire's interests, the many things to be done and issues for the town with the RWA. He thanked Mr. Slocum for his willingness to undertake the responsibilities of serving on the RWA Policy Board.

Mr. Slocum informed the Council that his questions relative to his appointment were answered by the Town Attorney. For him to continue on the RWA Policy Board his name must come before the Council for reappointment. Mr. Slocum will meet with Chairman Oris and Town Manager Milone to review and discuss the town's issues and concerns relative to the RWA. Mr. Slocum expressed appreciation to his fellow Council members for their support of his appointment.

Mr. Milone reported that RWA rates will increase by 7.5% for Cheshire, and he will provide the Council with the documentation on this increase.

Audit Committee - Ms. Nichols stated the audit documents have been received, and a meeting of the committee will be scheduled for later in the month.

B. Miscellaneous

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports

B. Appointments to Boards and Commissions

13. TOWN ATTORNEY REPORT AND COMMUNICATIONS

14. COUNCIL COMMUNICATIONS

A. Letters to Council.

Chairman Oris read a letter into the record from the Chair of the RWA on the appointment of David Borowy to the RWA Board of Directors.

Chairman Oris thanked Mr. Borowy for his many years of service as Cheshire's representative to the RWA Policy Board and for a job well done.

B. Miscellaneous

15. ADJOURNMENT

MOTION by Mr. Slocum; seconded by Mr. Talbot.

MOVED to adjourn the meeting at 10:17 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk