

MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON TUESDAY, JUNE 11, 2013, IMMEDIATELY FOLLOWING THE 7:30 P.M.PUBLIC HEARING IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Tim Slocum, Chairman; David Schrumm, Vice Chairman; Michael Ecke (9:00 p.m.), Patti Flynn-Harris, Andrew Falvey, Sylvia Nichols, Thomas Ruocco, James Sima, Peter Talbot

Staff: Town Manager Michael A. Milone; James Jaskot, Finance Director; Arnett Talbot, Exec. Assistant to Town Manager; Town Attorney Dwight Johnson; Police Chief Neil Dryfe; PW Director George Noewatne; Personnel Director Louis Zullo; Vincent Masciana, Director of Management Services, Dept. of Education

Guest: Steve Carroll, Chairman, Technology Study Group

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. PUBLIC COMMUNICATIONS

A. Proclamation for Flag Day.

Chairman Slocum read the proclamation for Flag Day, June 14, 2013.

B. Public Comments

4. CONSENT CALENDAR

MOTION by Mr. Schrumm; seconded by Mr. Ruocco.

BE IT RESOLVED, that the Town Council approves Resolution #061113-1.

RESOLUTION #061113-1

CONSENT CALENDAR FOR JUNE 11, 2013

BE IT RESOLVED, that the Town Council approves the Consent Calendar for June 11, 2013 as follows:

- A. Acceptance and appropriation of an aggregate of \$2,992 in grant disbursements For the Connecticut Department of Education Youth Services Bureau Enhancement Grant for positive youth development programs.
- B. Acceptance and appropriation of a \$100 donation from the Cheshire Lion's Foundation to the Library Gift Account for Library materials, furniture and Computers.

- C. Acceptance and appropriation of a \$121 donation from the Town Hall Employees Dress Down Day to the Library Gift Account for Library materials, furniture And computers.

VOTE The motion passed unanimously by those present.

5. ITEMS REMOVED FROM THE CONSENT CALENDAR

6. OLD BUSINESS

7. NEW BUSINESS

- A. Approval of submissions for the 2013 Neighborhood Assistance Act. No submissions have been received.**

- B. Approval of technology services contract with Apex Technology Group.**

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

BE IT RESOLVED, that the Town Council approves Resolution #061113-2.

RESOLUTION #061113-2

BE IT RESOLVED, that the Town Council approves the Personal CTO Program for Technology Support with Apex Technology Group for FY 13-14 as presented and attached.

Discussion

Ms. Flynn-Harris said this is basically completing the out-sourcing of the IT operations for both the Town and BOE to Apex Technology, which has been working with staff for the past few years in bringing the infrastructure up to a more stable situation.

The Council was informed by Mr. Milone that there was an extensive discussion on this item during the budget process. A lot of this came about as a result of discussions with the Technology Study Group, which has been invaluable to staff in terms of guidance and support over the last 18 months.

In conversations with the study group it became obvious that the natural progression, after 16 months of working with Apex, would be to completely outsource the IT function for more efficiency and effective operation. Apex was the capable and competent group to take the Town and BOE to the next level. Mr. Milone said the decision was made during the budget process. The budget impact of going to a full time out-sourced service provider will cost the Town about \$112,200 more; the current Apex contract is \$127,800; and annually it will go to \$240,000. This cost is split between the Town and BOE on an almost even basis.

Mr. Milone explained that while the contract increases by \$112,200 next year, the elimination of the two in-house IT positions results in a savings of \$255,000 (salary and fringe benefits); and the net savings is \$142,000.

Apex Technology has been on board for over a year; has a help desk that is in place for a year; and everyone who has worked with them knows the process and the principles.

Steve Carroll, 70 Hidden Place, Chairman of the Technology Study Group addressed the Council on the technology initiative. He said we are in the middle of a big project which will not be completed in a year or less, but we are on the way. The motion before the Council is a result of a strategic decision to completely outsource the IT functions in order to get the appropriate technology talent and skills necessary, and to implement the capital improvements. Mr. Carroll commented on the IT budget having many moving parts, and there will be upgrading of the backbone of the network, servers, lines, etc. People in the workplace depend on the computer system up and operating, and if it is not operating, productivity plummets. There is a large dependency on the network. Mr. Carroll said there is capital money left to invest in technology infrastructure this year, so the competent help of specialists is needed. Apex has provided varied technology skills, and the study group is very pleased with the firm. For the short term we are looking at out-sourcing the IT function. Whether this will always be done is unknown at this time, and will be a discussion for another day.

Regarding the out-sourcing element, Mr. Slocum asked whether Cheshire is one of many communities doing this.

In response, Mr. Carroll spoke from a business standpoint, noting there are two options and the hybrid. In his medium sized business, which equates to Cheshire, there is an in-house staff manager, not a technical person, and several people who repair things. When there is a need for super-techno skills the company always goes outside. He said companies today usually outsource because they cannot afford the technology and specialized skills in-house. The Town and BOE will decide what, if anything, will be brought back in-house, but will wait until they are over the hump, and it would be wise to continue with Apex Technology.

Ms. Flynn-Harris said another thing to understand is that Apex is also bringing managerial skills to the table for the Town and BOE. The study group discussed the past history of technology and infrastructure being a mish-mash, equipment purchased at various times at varying levels and other concerns. At this point we need someone to do a comprehensive review of all the vendor contracts, maintenance contracts, and these costs affect the budget. This has been handled by Mr. Jaskot and the Finance Department staff. Now, Apex will undertake this task as professionals in the industry, and assess the maintenance and vendor contracts, and this is an added plus with managerial skills. The Town and BOE really need Apex and can benefit from them.

In the resolution, Mr. Falvey noted it states approval of the CTO Program, and the contract, page 5, shows the customized personal CTO program as being trademarked

by Apex. He does not know what that means except that they own it, and questions how this affects the Town of Cheshire. The memo to the Council from Mr. Milone and Dr. Florio talks about Apex assuming complete oversight of the IT functions. Mr. Falvey said this tells him a private contractor can do whatever they want to do without control and this is a problem for him. Before this motion is put into effect he wants to see somewhere in the town administration a chief technology officer, or chief information officer, to oversee the contractor who is telling the town what it should and should not do, and how much to pay them. According to Mr. Falvey there are holes in the contract and the motion; the town has no oversight; and he expressed appreciation for the work of the technology study group. This does not supersede the job of the Council which oversees the town. This contract does not give the Council control over the IT functions which are being out-sourced. It is uncertain if the out-sourcing will be permanent, and we have no idea what the future will bring. This contract should not be considered at this time.

In response, Mr. Milone apologized for using the word "oversight" and said it was not meant in the same context taken by Mr. Falvey. The reporting levels were explained by Mr. Milone. He and Dr. Florio are the reporting team which Apex is responsible to. On a day to day basis, IT was under Mr. Jaskot and at the BOE under Mr. Masciana, so these two gentlemen will have daily contact. There are periodic meetings with administration; bi-weekly meetings are held by Apex with IT staff to insure efforts are integrated and coordinated. A report is provided to Mr. Milone, Mr. Masciana, Mr. Jaskot, Dr. Florio and Ms. Talbot. There is, and has been, a hierarchy and reporting mechanism in place for 16 months based on the contract with Apex, and the subject contract is almost identical, with the exception of the dollar value of the contract, duration, and service level going up.

It was emphasized by Mr. Milone that Apex is not on their own. If not for Apex we would not have the comprehensive, coordinated, responsive approach to our IT needs in the last 16 months. It was not there with the existing structure because it was fragmented, and the Town did not have the level of expertise to effectuate a coordinated effort, mission and vision.

Mr. Milone said that the reason the Town and BOE sought fit to go this route was because a hybrid approach was wasting money. With an out-sourcing approach there would be a higher level of service and significant savings. Apex was brought on to get us through the capital budget five year initiatives. The Town is spending close to \$3 million on infrastructure and wanted to make sure there was a capable resource to direct us and develop a plan. This was the original charge to Apex, and the major operational deficiencies were realized, and they also assumed this responsibility. The plan was to get to the point where the capital initiative is completed, which is 3 more years, all upgrades in place, and then make a determination as to whether the best model is to continue to outsource or hire people in house.

As a safety net, Mr. Milone said the technology study group has been used because of their experience and expertise, and their distance and objectivity from the day to day

operations. This group helped in guiding the projects and the day to day operations, and formulation of any policies to be developed. Apex could not be any more responsive or more accountable over 16 months, and they are not here to usurp control, but to do anything and everything the Town wants and needs them to do.

Mr. Carroll stated that Apex works with a large number of staff, Town and BOE, working in an integrated manner. And, Mr. Milone and Dr. Florio are the responsible parties for Apex.

The Council was informed by Mr. Milone that there is a 30 day termination clause in the contract, if it ever came to that point.

Stating he appreciates the 30 day notice, Mr. Falvey wants the motion and contract rewritten to show, specifically, that the Town of Cheshire has oversight over Apex, and that Apex does not have oversight over our IT functions. He agreed that the IT function should be out-sourced and this makes sense. But, the way this is all put together the Town has no control and at the mercy of the contractor, as opposed to the contractor doing what the Town wants. This is wrong and the people of Cheshire deserve better than this.

Chairman Slocum questioned whether the contract reads this way in Mr. Falvey's estimation, or if the contract does say this. Implicit in the contract is that fact the Town and BOE have given all authority, oversight and control to this organization.

Mr. Falvey referred to page 5 which talks about the customized CTO trademark program, and asked for clarification on this, what Apex can do, what they own in the intellectual property of this trademark.

On page 5, Chairman Slocum noted it says that Cheshire and Apex will review and make changes on an annual basis. It indicates there is a relationship.

Mr. Falvey cited the fourth bullet point – Apex will conduct a formal review of any IT vendor agreement etc. And he does not see where Cheshire controls this, and he has a problem with that.

Town Attorney Johnson asked that this agenda item be delayed to later in the meeting for his further review of the contract.

C. Acceptance and appropriation of PEGPETIA grant.

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

BE IT RESOLVED, that the Town Council approves Resolution #061113-3.

RESOLUTION #061113-3

BE IT RESOLVED, that the Town Council accepts and appropriates a \$144,095.60 Public, Educational and Government Programming and Education Technology Investment Account (PEGPETIA) grant from the State of Connecticut Public Utilities Regulatory Authority for the equipment replacement and upgrade project for Council Chambers, video production, and the local cable access channel broadcasts, with referral to the Planning Committee for final implementation.

Discussion

Mr. Talbot informed the Council that this grant was created 3 years ago. All video providers donate a percentage of gross receipts into the fund for money available to promote PEG access development in Connecticut. Cheshire High School has taken advantage of the grant. He thanked Ms. Talbot and Mr. Solomine who developed and wrote the grant and worked it through the process. These funds will go a long way in upgrading the Council Chambers to "state of the art" video capabilities, and better interfaces with broadcasts. Mr. Talbot made the point that PUREO has a very tight time frame for grants, and requests that all equipment purchase receipts be submitted by August 15, 2013. There are funds available, but he doubts we will need to go above and beyond the grant funds for equipment purchase.

A question was raised by Mr. Falvey about the previous discussion on technology about whether Apex has signed off that this is a good thing to do.

If this is approved, Ms. Talbot explained that Apex Technology will be joining the team meeting on Wednesday, and has assigned an engineer to work on this project. Apex has been aware of the project as the application has been developed. There is a timeline, and acceptance documents must be submitted to the State by June 17th.

Chairman Slocum asked about equipment purchases, and if everyone using it will be capable of using it.

In reply, Ms. Talbot said that anyone with technical experience and training has the ability to use the equipment.

We are streamlining our equipment and Mr. Slocum said this makes it broader to reach to the community.

VOTE The motion passed 7-1; Falvey opposed.

D. Supplemental appropriation for \$65,000 for Milone and MacBroom for Linear Park enhancements.

MOTION by Mr. Sima; seconded by Mr. Falvey.

BE IT RESOLVED, that the Town Council approves Resolution #061113-4A

RESOLUTION #061113-4A

RESOLUTION AMENDING AN AMENDED RESOLUTION APPROPRIATING \$312,100 FOR CAPITAL PLANNING AND AUTHORIZING THE ISSUANCE OF \$312,100 BONDS OF THE TOWN TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWING FOR SUCH PURPOSE.

(A copy of Resolution 061113-4A is attached to these minutes)

Discussion

Mr. Sima reviewed the motion, stating that the \$65,000 being moved forward will have 80% reimbursement from the State, or \$52,000, and \$13,000 from the Town.

PW Director Noewatne stated that this increased funding is for the 400 foot section of trail north of Jarvis Street with an associated parking lot for 37 cars, and pedestrian bridge to access the trail from this lot. The trail is the standard used for the other 8,000 feet from West Main to Jarvis, same composition, width and profile. The parking lot is custom to this area on the north side of Jarvis, to the east side of the trail and canal. The fees from Milone and MacBroom have been accepted by the State. We are awaiting the contract from the State. Everything is in line with earlier fees from Milone and MacBroom and the fee will cover all the work to be done (boring, archeology survey, environmental concerns etc.). The fee will get us to preliminary design, permitting and all that has to be done to get the trail built next summer.

The Council was told by Mr. Milone that the State is driving this change, not Cheshire, as they want the parking lot built now and connected to the trail. The revised resolution is a bond appropriation. He gave the history of the project. In the capital budget 2 years ago the Council appropriated \$200,000 in the Planning Account for this portion of the project. It went to RFP; a committee was formed and a decision made to hire Milone and MacBroom at a cost of \$312,100. The State allowed the Town to use a \$250,000 grant to pay the major share of the \$312,100, and the State would not pay for this cost. The balance was about \$60,000 net cost to the Town. With the additional amendment, we are amending the \$312,100 amendment. This will cost about \$65,000, with 80% paid by the State with a net cost of \$13,000. Total cost to the Town is \$73,000 to \$75,000. A referendum is not required because about 90% is reimbursed.

VOTE The motion passed unanimously by those present.

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

BE IT RESOLVED, that the Town Council approves Resolution #061113-4B

RESOLUTION #061113-4B

BE IT RESOLVED, that the Town Council approves a revision to the current contract with Milone and MacBroom to include additional enhancement work for the Linear Park

for \$65,000, and further authorizes Town Manager Michael A. Milone, pursuant to Resolution #091200-10, to execute said contract revision.

VOTE The motion passed unanimously by those present.

E. Approval of actuarial assumption changes for Town retirement plans.

MOTION by Mr. Ruocco; seconded by Mr.Sima.

BE IT RESOLVED, that the Town Council approves Resolution #061113-5

RESOLUTION #061113-5

BE IT RESOLVED, That pursuant to the recommendation of the Retirement Board, the Town Council approves the changes in actuarial assumptions for the Retirement Plan for the Employees of the Town of Cheshire which includes the Town of Cheshire Police Retirement Plan, Retirement Plan A and Retirement Plan B, and the Cheshire Volunteer Firefighter Plan, effective with the July 1, 2012 valuations, as follows:

Change from an 8.25% rate of return assumption to a 7.5% rate of return assumption;
Change in the mortality assumption from static to generational.

Discussion

Mr. Jaskot stated that, at a recent Council meeting there was a presentation and review by Ms. Seilman, our consultant, of the preliminary July 2012 actuarial valuations. She emphasized that our rate of return assumption being used in 2010 was high compared to other municipalities. We are currently using an 8.25% assumption for rate of return, and the recommendation and her professional opinion, is to set the rate at 7.5% going forward. If the rate or return assumption is reduced it has the affect of dramatically reducing the Town's actuarial required contributions. We want to get the July 2012 valuation wrapped up. The consultant stated the Town should consider reducing the rate to 7.5%. The Retirement Board deliberated this issue, and they are on board with 7.5% as appropriate even though the actuary thought a lower rate would be appropriate in the current environment.

Mr. Jaskot stated his concerns about what goes into the financial statements and how things are interpreted by rating agencies. There was a discussion last week about the market rebounding in the last few months, and the interim valuation will be done in July 2013. The market value of the assets is phased in over a five year period, and only a piece of that will be reflected in the interim valuation.

Another thing to be looked at is the recommendation of Mr. Milone for the salary increase adjustments because contracts have been lower. Going forward, Mr. Jaskot said we will have the July 2013 valuation and look at the effect of the better market. The required contribution to the plans will escalate, especially over the next 5 years. Right now, Cheshire is in the phase in plan, with a \$2.5 contribution budgeted in FY

2014, and this is a commitment until the Town catches up with the required contribution. By scaling back the rate assumption it will make it harder and longer to catch up to a recommended contribution, but it is the appropriate thing to do using a realistic rate comparable to our peer group.

Mr. Ruocco noted that the mortality assumption is being changed, and he asked about specifics in changing from static to generational. This means we determine life expectancy, based on when a person is born, or certain range of years of birth.

This is the recommended mortality assumption, and Mr. Jaskot said it is more conservative and would extend the life projections being used. This would also increase our contributions.

Stating he can appreciate changing the rate of return assumption, Mr. Ruocco said they could be less, based on the makeup of our portfolio. We had some good years, but they begin to fall off with the potential for interest rates going up. He has concerns about putting this on the books at this assumption level as it means we are agreeing to fund the plan more and not rely on the market place. This illustrates how unaffordable these plans are, and Mr. Ruocco is not sure how the rating agencies look at this when we are already under funded. He questions what happens if we are under funded even more, or cannot meet the current assumptions, let alone the new ones.

According to Mr. Jaskot we are still suffering from the fallback of the market losses of 2008. They are still being smoothed in, and have an effect on the contributions required to be made. Over 5 years it takes a while to move on with a fresh look. He said it all comes down to Cheshire using 8.25% and others migrating to a lower rate, and the lower rate puts us on a fair playing field with everyone else. It should be considered. Our contributions will escalate, but this can be looked at, some changes made to the phase-in of the contribution increases. The appropriate thing to do is use a realistic rate of return and work it out on the phase-in approach.

Mr. Falvey asked about accepting the 7.5% rate of return, and if the Council is putting itself in a position to say we know we have to put more in, and if we don't, we are in more of a liability position. With the reduction in the rate of return, he asked if we are saying more money must be contributed, and if not, what position does this put the Council in from a legal point of view.

Attorney Johnson said this is a decision which Councils and Boards of Education and for profit and non-profit organizations make often. Generally, they rely on the recommendation of the actuarial consultants/experts. It is not a perfect science, and there are no guarantees that the Council, approving the recommendation, is the way to go. It is using best judgment. If the Council chose not to reduce the rate of return, Attorney Johnson does not think there is risk of facing any personal liability. It is more of a political risk. This does not mean the Town would not be sued in the future if it failed to meet the pension obligations or pay pensions when due. He is unaware of any

case where this approach has been successful. The exposure is minimal, and reduced if the Town relies on the expert's recommendations.

Mr. Schrumm said this is going back and changing the assumption back to July 1, 2012, which is the two year valuation period. The valuation of 2010 realized the shock of what the market had done. 2010 with 7.5% is a moot point because it is already decided on how much to put in the plan for the coming fiscal year. He asked what is wrong going forward with 7.5% for the interim valuation in 2013. In September 2013 we will see an improved asset base, the hit for 7.5%, and it makes sense to use the 7.5% next time. He said we tell the rating agencies we are using 8.25 until July 2013, but from now on it will be 7.5% going forward.

This will not affect the 2014 contribution because it is already in the budget, and Mr. Jaskot said we are now looking at FY 2015. The only reservation is the additional explanation to the rating agencies on why Cheshire chose using such a high rate.

Mr. Schrumm said the answer is that we are waiting for the revaluation from the actuary which was received two weeks ago. It could be argued that it was kept at 8.25% assuming there would be more money from investments, and caused the Town to not put enough cash into the program. This is why it is under funded. Or, look at it the other way and say go to 7.5% and not put enough cash in. 20 years from now there will be enough money to draw from but it cannot be predicted what it will be. Mr. Schrumm wants to know more about static and generation changes as more people live longer.

In that regard, Mr. Jaskot said he depends on the actuary's advice.

Stating he agrees with the 7.5%, Mr. Schrumm said it is a question of when, and which year we will impact.

No matter which way we decide to go, Mr. Jaskot said it would be good to wrap up the July 2012 valuation and the actuary needs to know which way the Town will go. And, this information is needed for the year end financial statements.

To satisfy the bond rating agencies, Mr. Schrumm said as of 2012 and for 2013, the actuary gives us both numbers, with the understanding we have a plan that is being followed, assumptions are being changed, and we will follow the new plan, if we can.

Mr. Sima stated he believes we are jumping the gun a little soon. He has seen the pendulum swing one way or the other, and we were getting rates of return over 10% in past years. This had to do with the rate of inflation and interest rates etc. and we have been in this cycle for 6 years with low rates of return. In the 1970's or early 1980's he was told he would never see interest rates below 10% ever again. He thinks we are a little early now as the country comes out of the recession, and he is not sure about taking this road with lower rate of interest on the growth of money in the fund. If we start increasing contributions to \$600,000+ or more, this money is coming out of other

budgetary issues, and services will have to be cut by making a quick assumption. We have not heard what will happen as July 1st comes along, where the stock market is and where it will be next July 1st. Mr. Sima believes this change will have consequences such as higher taxes or cutting services, and this could be the wrong decision. He does not believe the contribution number should be increased now until we see what will happen as the economy moves forward. Mr. Sima does not believe we are quite ready to make this move at this time, and should sit back and see what is going on in the economy in our country and the world. He believes this resolution is premature.

If we lower the assumption to 7.5% and choose not to fund it to meet these requirements, Mr. Slocum asked what the rating agencies will say. It is a Council action on an annual basis on how this is funded.

Mr. Jaskot looks at the 7.5% as a conservative approach as it forces a look at bigger liabilities looming out there and larger contributions. It does have an impact on the taxpayers.

Chairman Slocum said the Council is not proposing any action to not fund the pension plan. He questioned tabling this motion for further informed discussion, and action on the resolution on June 27th.

Based on the conversation and discussions, Mr. Talbot questioned tabling this matter for further data and new numbers, and said it is a good option. He asked what the issue is, based on not funding the plan in 2013-14 anyway, and start funding it in 2014-15.

Going that route and pushing it out, Mr. Jaskot would want the results of the interim valuation in a timely fashion, since financial statements are issued in November. The 2012 valuation must be ready for these statements. If the Council wanted to wait, it could be done.

Mr. Talbot asked about the down side to waiting until the Fall to make a determination on what number to be used, and we may land on the 7.5% anyway.

As long as he has numbers for the financial statements, Mr. Jaskot has no problem with waiting.

Mr. Ruocco commented on waiting for the numbers around salary.

The salary numbers being used could be high, and Mr. Jaskot said the actuaries were going to look at that in the interim valuation.

The 2012 valuation is based on 8.25%, and the interim will be based on the 8.25% return. Mr. Ruocco asked what the salary assumptions would be. Looking at the realistic salary levels over the last two years, and assuming they will be consistent or lower going forward, he said this might alleviate some of the problems. The salary

assumptions may help out more. Along those lines he would be in favor of tabling the motion on the floor.

MOTION by Mr. Ruocco; seconded by Mr. Sima.

MOVED to table Resolution #061113-5 pending information on the July 2012 valuation and the July 2013 interim valuation.

VOTE The motion passed unanimously by those present.

The Council brought forward Resolution #061113-2.

Attorney Johnson suggested installing a paragraph in the Apex agreement which confirms the ultimate authority of the Town and BOE over their IT resources and functions. He proposed charging the Town Manager with the assistance of the Town Attorney's office to have Apex agree to the following paragraph under the Approval section of the proposed agreement. The new second paragraph would read as follows:

The rights and responsibilities given to Apex under this agreement do not in any way limit the ultimate authority of the Town and Board of Education over their IT resources and functions including, without limitation, the budgeting of capital and operational expenses, selection of IT vendors, and the management of internal IT staff and resources.

Mr. Falvey asked this be in writing to better digest it. He said we are talking about pushing this off until Apex has a chance to talk to the Council.

Alternatively, Attorney Johnson said the Council could approve the proposed agreement subject to the Town Manager and Town Attorney persuading Apex to include language comparable to the language he just read into the record.

Mr. Falvey asked that the matter be postponed until he has a chance to digest the language and see whether it is agreeable with the contractor before a resolution is put before the Council.

Chairman Slocum said we are altering a contract, and it sounds good, and the Town Attorney has crafted something that is very agreeable to the parties. He thinks it is appropriate to table the matter.

Mr. Milone said it is time sensitive because as of July 1st the Town has no IT staff as they have been de-funded from the budget. There must be a decision within 3 weeks.

Chairman Slocum stated the Council meets on June 27th, and it is in the interests of all parties to be comfortable with an agreement. He knows there has been a 16 month cooperation with Apex, and everyone is satisfied, and it has worked well. Mr. Slocum

advised there will be a brief Council meeting on June 27th followed by the pool committee information session.

Ms. Flynn-Harris has no problem with tabling the matter as long as the verbiage is agreeable and is out in a timely fashion. This is an important contract, and June 27th is cutting it close as we are losing staff a few days later.

Having reviewed and created the statement, Mr. Slocum asked Attorney Johnson if he is comfortable with the agreement and if it was necessary to wait.

Attorney Johnson said a court would not question the ultimate authority of the Town and BOE over this agreement, even though the agreement is not as well written. He said Mr. Falvey is correct in stating the agreement is not as clear as it should be. If presented to a court, it would be concluded that the Town has ultimate authority. As pointed out earlier, there is the ability to terminate the contract with 30 days notice, and this is a fail-safe, and could cost some money.

It was noted by Mr. Sima that Ms. Flynn-Harris and Mr. Talbot would have to be receptive of the Town Attorney's changes.

Ms. Flynn-Harris accepted the suggestions and verbiage of the Town Attorney to be included in the contract.

Mr. Talbot also agreed to the changes proposed by the Town Attorney.

If the Council wants to move the motion, Attorney Johnson proposed some language to be added to the resolution on the floor. It would read as follows:

RESOLUTION #061113-2

BE IT RESOLVED, that the Town Council approves the Personal CTO Program for Technology Support with Apex Technology Group for FY 13-14 as presented and attached, ***subject to the modification of the proposed agreement between the Town and Apex to add a provision confirming the ultimate authority of the Town and Board of Education over their IT resources and functions.***

Ms. Flynn-Harris and Mr. Talbot, as maker and seconder of the motion agreed to the amendment to the resolution.

If Apex says "no", Mr. Falvey asks what happens.

In that case, Attorney Johnson said the contract would not be approved by the Council, under the language he has proposed for inclusion.

Mr. Falvey said we should go back to the contractor and ask if they agree. The Council is being asked to approve a resolution that binds the people of Cheshire, and we are

hearing this now and being asked to vote on this now. This is not the way to do business.

Although she has not worked with Apex directly, Ms. Flynn-Harris said Chairman Slocum, Mr. Carroll, Town Manager Milone, and BOE representative Mr. Masciana, have worked with Apex. This company does such good quality work, and has been so willing to work with the Town and BOE, and wants to work with us, Ms. Flynn-Harris does not believe they would have any difficulty in accepting the new language in the contract.

MOTION by Mr. Falvey; seconded by Mr. Sima.

MOVED to table Resolution #061113-2.

VOTE In favor – 1; Falvey. Opposed 6. The motion failed to pass.

VOTE on the amended motion:

In favor -6; Opposed -2 (Falvey and Sima). The motion passed 6-2.

F. Award of tax and sewer lien sale.

MOTION by Mr. Schrumm; seconded by Mr. Sima.

BE IT RESOLVED, that the Town Council approves Resolution #061113-6

RESOLUTION #061113-6

BE IT RESOLVED, That the Town Council, pursuant to Sections 12-195h, 7-254, and 7-258 of the Connecticut General Statutes, authorizes the Tax Collector to assign for consideration such tax and sewer liens as deemed appropriate for assignment by the Tax Collector, and

BE IT FURTHER RESOLVED, the consideration for such assignments be negotiated between the Town, acting through its Tax Collector, and the assignee(s), and

BE IT FURTHER RESOLVED, that the Town Council awards the assignments as presented to American Tax Funding Servicing LLC on behalf of Cheswold (TL) LLC (Purchaser) at 110.02% on the dollar.

Discussion

Mr. Jaskot reported that there are 35 properties, and delinquent taxes of \$250,507. An RFP went out on April 15th; 5 bidders responded with bids of 94.68% to 110.02%. The bid award went to American Tax Funding Servicing LLC for one of their investors, Cheswold LLC at 110.02%. The Town has worked with this company before with good success and no problems encountered. The 110.02% generates \$25,000 in revenue for

the Town. Taxpayers have until June 14th before the liens are turned over for the lien sale. This tax lien sale helps maintain the tax collection rate of 99.6%

In the last paragraph of the memorandum, Mr. Falvey commented on the last paragraph and read it into the record. He asked whether this affects what they are buying at 110%, and if they can come back later and say they don't want, and walk away from it.

They do not have to buy future liens, and Mr. Jaskot said it will not affect what is being sold now. The town gets the 110%. About \$60,000 of the \$250,507 has been collected.

Mr. Sima asked about foreclosures and how many are related to this sale.

Mr. Jaskot is unaware of any foreclosures.

According to Mr. Milone we might find one foreclosure about 9 years ago. One condition in the contract is for no foreclosure initiation until one year after the contract is signed. The specifications include a variety of lending options for the home owner available, and they work as a financing company to help them as part of the conditions of the contract.

(Mr. Ecke entered the meeting at 9:00)

VOTE The motion passed 8-0-1; Ecke abstained.

G. Transfer of uncollectible taxes to the Suspense Tax List.

MOTION by Mr.Schrumm; seconded by Mr. Sima.

BE IT RESOLVED, that the Town Council approves Resolution #061113-7

RESOLUTION #061113-7

BE IT RESOLVED, that the Town Council approves the transfer of uncollectible taxes, as presented and attached, to the Suspense Tax Book.

Discussion

This is done on an annual basis, is required by State statutes, and Mr. Jaskot said the main purpose is to write off uncollectible accounts for financial reporting purposes. It does not affect the ability to continue collection efforts. \$45,461 of uncollectible taxes is on the list this year; 310 accounts; most are motor vehicle and personal property. In the last two years the Town collected about \$20,000 from the suspense list items. The transfer is done to make the financial statement more accurate.

There are some initiatives planned as we go forward. There is a service providing a search technology which the Town will be using, at a fee of \$50 a month, and this will help find people who have moved with unpaid taxes.

VOTE The motion passed unanimously by those present.

H. Approval of non-union Personnel Rules and Regulations.

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

BE IT RESOLVED, that the Town Council approves Resolution #061113-8

RESOLUTION #061113-8

BE IT RESOLVED, that the Town Council approves the FY 13-14 non-union Pay Plan, with a 2.3% increase in the minimum, mid and maximum for all ranges in all job classifications, as approved by the Personnel Committee.

Discussion

Mr. Ruocco informed the Council that the Personnel Committee approved the recent bargaining agreements, and this affects the non-union groups. He reviewed the changes to the Rules and Regulations.

Section 9-4 – Changes were made a few years ago, and Mr. Milone has the authority to start new hires with either 3 or 4 weeks vacation. Employees with the designation “E 1 to E 5” are department heads.

Employee A receives 15 days vacation time a year at the start of employment. With the proposed changes, after 10 years and 20 days vacation, the person would accrue one (1) day a year to employment year #15 and have 25 days vacation annually.

Employee B receives 20 days vacation time a year at the start of employment, and after 15 years of employment has 25 days vacation annually.

The suggestion of this change came from people starting with 3 weeks vacation to accrue one (1) incremental day for each year to 15 years with the opportunity to have 25 days vacation annually. There is some inequity among the department head group, and this has been recognized.

Section 10-1 Retirement Plan – There is an increase in the employee contributions to the retirement plan of .25% effective July 1, 2013. All the unions are increasing contribution percentages, with further .25% contributions in their contract in future years.

Section 10-4 Medical and Life Insurance – All the unions are increasing the 6 points of service (outpatient, in patient, emergency room, doctor visits, urgent care and specialist care) co-payments; there is also an increase in the prescription co-pays to \$10, \$30 and \$40; all are effective July 1, 2013. The new HSA rate would be set at 5% effective January 1, 2014. Increases in points of service and prescriptions are the same for the HMO and Blue Care.

Mr. Falvey stated he has a problem with Section 9-4, and said employees come to work knowing their vacation schedule, and now want more vacation time, the same as others. He would like to see this section removed from the document until there is a reason to agree to this change. He asked that this resolution be postponed until there is an explanation and understanding behind this change.

Mr. Ruocco said it is a parity issue.

MOTION by Mr. Ruocco; seconded by Mr. Ecke.

MOVED to table Resolution #061113-8.

VOTE The motion passed 5-4; In favor – Falvey, Ecke, Sima, Slocum,
] Schrumm; Opposed – Ruocco, Talbot, Flynn-Harris, Nichols.

I. Approval on non-union Pay Plan.

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

BE IT RESOLVED, that the Town Council approves Resolution #061113-9

RESOLUTION #061113-9

BE IT RESOLVED, that the Town Council approves the FY 13-14 non-union Pay Plan, with a 2.3% increase in the minimum, mid and maximum for all ranges in all job classifications, as approved by the Personnel Committee.

Discussion

Mr. Milone advised that this agenda item had a thorough discussion with the Personnel Committee. In the FY 13-14 budget the Town Manager was given the authority to set aside a 2.3% average increase for non-union employees and this is consistent with the Library and Town Hall union agreements and the benchmark for other negotiations, with the exception of the Police Department. He is requesting the Council approve the same 2.3% for the non-union pay plan, as this is the same percentage agreed with the bargaining unit plan.

Mr. Milone referred to the summary sheet, noting that over the last few years the total average increase for non-union employees is between 8.5% and 9%. Yet, their pay plan has increased between 2.25% and 5.5%. Separate and apart from that the bargaining unit pay plans, over this four year period, have increased by 9.3%. He said that more and more people in the non-union pay plan cluster near the maximum. We end up with the situation where people entitled to a raise are prevented from getting the full amount or the raise, or no raise at all. If the pay plan is not increased by 2.3% there are four employees ineligible for this increase because they would be capped, and there are four employees, depending on their performance, could be limited. There is the authority to give them the balance in a lump sum, but it is not built into their base.

While he is asking the minimum and maximum be increased by 2.3%, Mr. Milone pointed out that all the raises are not automatic. In the bargaining unit the step, increment of cost of living are automatic. The non-employee raises are determined by performance evaluations, based on a bell curve based on the scores, to make a determination of a percentage increase. With a 2.3% average it could be 1.8% to a high of 2.7%, but this range is not determined until the outcome of all evaluations.

Mr. Milone is asking for parity for this group, increase their pay plan the same as those of the Town and BOE bargaining units. Because the pay plan has not been increased consistently over the last four years, the pay range of union employees is getting closer and closer to the non-union employees. Another concern is that despite the fact there was a study of the market a few years ago, the Council felt the recommended rates were too high for the maximums. They were lowered below the recommendations, and the pay plan is not maintaining consistency with the market. Over time, this means we are under paying for like positions of other town budgets.

The Council was requested to support the request. Mr. Milone reiterated that increasing the maximums does not mean everyone gets a 2.3% raise. It just insures that the eight people, whose raises could be jeopardized, could have the flexibility of getting a 2.3% raise or more. It will also insure that we are consistent in treating the non-unionized employees the same as those with bargaining unit representations.

Mr. Schrumm commented on individual appraisals for everyone, all the E and N employees, and they do not get automatic raises as do bargaining unit employees. The range is between 0% and 4% based.

According to Mr. Milone, you can expect a range, with a 2.3% increase, being between 1.8% and 2.8%, or 2% and 2.6%, and it depends on how wide the bell curve is. If the bell curve is concentrated then the range could be tight. Also, there are some people who fall below and beyond the range.

We do not want to do some cherry picking, and Mr. Schrumm cited E-1's going up 2%. It is the ranges, not the employees that are being increased. The suggestion is 2.3% across the board.

In response, Mr. Milone said yes. If you cherry pick there is distortion between the various pay classifications. Also, you take away the consistency of keeping the entire pay plan at a market level, and distorting this loses the advantage and benefit.

Mr. Schrumm asked if there is anyone at the max who will not receive a raise.

There is one person at the max, and Mr. Milone said there are three people close enough to the max to not receive the full 2.3%. There are four people close enough to the max, and with good performance, they are entitled to more than 2.3%, they would not receive that amount. The rules and regulations allow Mr. Milone to make up the difference with a lump sum, but it does not get built into the wage base. Bonuses have

been eliminated for six years, and the Personnel Committee revised the rules and regulations such that longevity is only paid based on performance. There used to be longevity and bonus payment, and longevity was modified when a person reaches a certain level of performance evaluation.

Once an employee reaches the maximum and receives a payment which does not go to their base, Mr. Sima asked about the base being calculated into their pension.

If someone gets the balance as a bonus, Mr. Milone said it is still wages and is calculated into their base for purposes of pension calculation.

Mr. Sima questioned the maximum and a person going over it, so why is a maximum needed.

This would not be in the base salary, but Mr. Milone said it still considered earnings. A person getting a \$2,000 raise and \$500 in addition to that because they are at maximum, their wage base gets \$2500 added to it. This goes into the pension calculation. In the next year their salary is capped at the \$2000 increase, not at \$2500 increase. It does not save anything in terms of the pension initially but does prevent them from getting consistent raises in future years.

The Council was told by Mr. Milone that there are 45 people in this group, and 820 Town employees, and the BOE has about 12 non-union employees. Every other group is treated consistently. These staff people are the supervisors; they don't ask for anything more than their subordinates get; and these people will be contributing another .25% to their pension, and more in medical benefit co-pays. This would save 4% to 6% on their coverage. They will be contribution from a few hundred to a thousand dollars more to pension and medical benefits before the Town Manager even considers what they are entitled to in terms of a salary adjustment. Even with a 2.3% raise, it would be offset by additional pension contribution and higher medical co-pays.

Mr. Sima stated there is money set aside in the budget for these raises for the Town Manager to increase the base and still give an increase. He commented on it being difficult to accept this because of one person getting a raise and everyone is entitled to the same raise. One bargaining unit gets a 2.5% raise...so everyone should get the same raise, and Mr. Sima does not agree with this. In looking at some of the high compensation numbers, Mr. Sima said some people are well deserving, but the numbers are too high, and he cannot support a 2.3% raise at this time.

It was clarified by Mr. Talbot that we must understand we are not talking about these as raises. We are talking about adjusting the ranges for these level of positions, and it has nothing to do with a merit increase. This is an adjustment to range of the positions.

Mr. Milone stated this is not an automatic increase, but the flexibility to give people what they deserve based on their performance evaluation. This is unlike the bargaining units

which get an automatic raise, and do not have raises based on performance. Simply increasing the maximum does not automatically insure anyone gets 2.3% raise.

It was pointed out by Mr. Ruocco that two years ago the Council made significant revisions to this pay plan, including raising minimums which were out of date. At this time there is no one at the minimum level. He is not sure it is necessary to raise the minimum and maximum levels. The way the pay plan works it is assumed no position has a maximum salary...it gets higher and higher, and it has to do with the position, not the person. He thinks this is inflationary, and cannot agree to an across the board increase, and it should be lower or think about cherry picking some of the brackets. Raising the minimum salary for every position is not necessary at this time.

In the packet is a summary of the union pay plan history over the last five years, and Mr. Milone said that Mr. Ruocco is correct. The Council responded to a salary study done in 2012 by Mr. Zullo. In FY 2010 and 2011 there was no change to the pay ranges; in 2012 the Council responded to the salary study, without supporting the maximum levels recommended by staff. He cited some of the increases, noting they did not go up consistently with the market, and most ranges went up about 3%. While he appreciates and respects that there were increases, Mr. Milone said most were not comparable with what was recommended. For two years the pay plan did not increase and for the third year it did not increase to the extent it should have in order to create consistency with the market. This is against the fact that the union employees pay plan increases each year. There is no guarantee of raises, but it gives Mr. Milone the opportunity and flexibility to give a raise they are entitled to.

Stating he agreed with Mr. Ruocco about keeping the minimums where they are, Mr. Milone said this can be done. The only reason they were going up is because a few years ago the minimum and maximum levels were \$40,000 apart. The Personnel Committee increased the minimums significantly, and shrunk the dollar difference between minimum and maximum.

It was pointed out by Mr. Milone that the school administration pay plan's lowest level is \$110,000 to \$124,000; and the maximum on the Town pay plan is between \$80,000 and \$122,000 for positions such as Police Chief, Fire Chief, PW Director. A town planner is paid between \$80,000 and \$122,000. Mr. Milone's concern is that these people rely on him to represent their interests, and trust him to do this. He believes the request before the Council is reasonable and fair and he continues to use the word "parity." In the absence of the non-union employees having no one to negotiate on their behalf, all they are asking is that they be treated like everyone else. Mr. Milone hopes they are not singled out because they are not represented by collective bargaining units.

Chairman Slocum commented on the State economy being in the cellar, and most people in the room are not represented by bargaining units. The Council has been fighting for savings with the support of the Town Manager and Town staff. It puts the Council to task when it is continually asked to make a school administrator equal to a

police chief, as they are different jobs. No one has the same pay for the same job, or it would be easy to bargain and negotiate all the time.

Stating he is not suggesting this, Mr. Milone questioned whether an assistant principal making \$130,000 is \$30,000 more important than a police chief making \$100,000. He knows the roles are different, people are paid more, but he is pointing out the significant parity. He realizes the state of the economy, but also stated these non-union people are the department heads, deputies and assistants, who run and manage the Town, create the efficiencies and save money. A decision should be made based on evidence, not emotion. This is not equitable, and these are the people who managed the major snow storm and the shelter, without overtime payments. These people have many rules and regulations which give the Town Manager so many management prerogatives. Mr. Milone can have them do any number of things to move the organization forward. The demands on them are greater than anybody else, and now we want to treat them less fair than everyone else. Mr. Milone stated it is not a very positive way to manage; it is not a motivating element; and it undermines his ability to get their trust and respect and motivation.

Mr. Schrumm agreed that the town has been blessed with good people in positions, and said the proof of any salary plan or its equity is in its application. The range being discussed gives the Town Manager flexibility to give a person with a C a 0% and the person with A+ gets a 4% raise. Comparison with education salaries has no equity.

The proposal to leave the minimums as they are and raising the range in maximums was restated by Mr. Schrumm. This would be subject to a review later on to see how it was allocated. Also, Mr. Schrumm talked about changing employee classifications due to the change in the jobs, i.e. a current E-3 going to E-4. Whatever is done, he said there is an upper limit to the worth of the jobs.

MOTION by Mr. Schrumm; seconded by Mr. Talbot to amend the motion on the floor:

AND, BE IT FURTHER RESOLVED, that the existing minimums be kept in place for FY 2013-14.

Discussion

Mr. Sima noted that the Personnel Committee cleaned up all the minimums, and this is starting over again with leaving them the same. If this continues the minimums will be too far down and there will be broad ranges again. It is hard to attract a qualified person for a job due to the low minimum range. This should not start again, and limit the Town Manager's ability to hire qualified people in these positions. He does not agree with holding the minimum number down and raising the maximums, and will not support the amendment.

It was clarified by Town Manager Milone that he has the flexibility with the pay plan to start someone higher than the minimum, provided their educational background and experience warrants it.

There is no change in the mid range.

VOTE on the amendment: In favor -6; Opposed -3 (Ruocco, Sima, Falvey)
The motion passed 6-3

VOTE on the amended resolution: In favor -6; Opposed -3 (Ruocco, Sima, Falvey)
The motion passed 6-3

J. Approval of Police Union Memorandum of Understanding (possible Executive Session)

8. TOWN MANAGER'S REPORT AND COMMUNICATIONS.

A. Monthly Status Report – Town Manager Milone

- Monthly Financial Report – The projected surplus is on target.
- Adopted State Budget/Municipal Aid Impact – The State budget was adopted, and as a result of significant changes, and Cheshire will realize about \$1,850,442 more in municipal aid than what was approved in the Governor's budget, and what was used in the Cheshire adopted budget. But, this is not a \$1,850,442 windfall because the budget used \$1,668,436 in debt service reserve to balance the budget. At that time the Town expected \$2.1 million in LoCIP funds, and would use those funds to replenish the debt service reserve, which was a bridge to get to the next stage. The net effect for the Town budget is \$182,106 more in revenue without using the debt service reserve. Mr. Milone recommends that the Budget Committee and full Town Council consider amending the revenue side of the budget to reflect reality. This is consistent with past practices. The budget now has \$182,106 more in revenue than is needed, and the money can be appropriated and increase the bottom line by this amount. Or, the Council can keep the bottom line the same, and reduce another revenue account, i.e. the fund balance can be reduced by \$182,106. The Council can do one of two things – keep the bottom line the way it is and absorb the \$182,106 in other revenue accounts by lowering them; or add the amount to an appropriation, and increase the bottom line of the budget by \$182,106.
- Department of Corrections-Treatment Plant Back Billing – A meeting was held with DOC and the OPM attorney to try and resolve many of the outstanding issues with DOT. The bill proposed by Rep. Mary Fritz passed and the State is now required to renegotiate the existing prison agreement with Cheshire.
- Back billing for the meter under-reporting flows – the Town asked for \$1,453,000. A letter was received from the DOC Commissioner rejecting this request, without valid reasons, and the door is left open for discussion. Mr. Noewatne and Mr. Gancarz from Public Works Department prepared charts and graphs and trends with Mr. Milone, and explained to the commissioner why Cheshire felt it had a

compelling and conclusive case. There can be negotiations and DOC can challenge the Town's methodology. But, there is no question that for 9 years DOC under-reported flows. A letter is going back to the DOC Commissioner, and it is hoped that can be continued dialogue. Our legislative delegation is very involved in this issue.

- DOT – Route 42 Construction Project – this project was to start on Monday, but did not, and information on this project is on the web site. This project will be disruptive and continue up through November.
- Town of Southington Neighbor Night – the town has invited Cheshire residents to attend the drive-in theater Neighbor Night for August 3rd and pay the Southington resident rate. Information will be on the web site for those interested.
- RWA Facilities Upgrades – RWA was prepared to improve water mains on four streets. Amherst Place to Creamery Road has been halted by PW Director Noewatne because this road was repaved last year. Mr. Noewatne is trying to work out a better planning process with RWA so the Town has advance notice for digging up a road that was recently repaved. With the GIS upgrade this information will be available soon. Mr. Noewatne is working with RWA on a five year plan, collaborate on road work and water main upgrades. There will be negotiations on the value of the road, the Town doing curb to curb. For the three roads RWA plans to dig up, the Town will get the value and see what it would be for RWA to repair those roads, take this money and go curb to curb and repave them in their entirety. Mr. Milone will come back to the Council with a request on this issue.
- Cheshire Library Kidney Presentation – through a health and wellness program on kidney issues held at the Library, a participant was concerned by what he learned, and went to a doctor. The person found he had a serious kidney disease which was caught in time, but could have been fatal. Had it not been for this program, the outcome for the person could have been very different.
- Tax Auction of Various Properties – The Town tries to preserve the attractiveness of properties for sale, and bad liens brings down the sale. Mr. Donlin had less than desirable properties for the lien package, and he held a tax auction on those parcels (Peck Land and Highland Avenue were redeemed before the auction); 3 of the 4 parcels on East Mitchell were sold for the full amount of taxes, \$23,500. The 4th parcel will be sold in a month following resolution of title issues. This is another technique for getting back taxes, and investors take blighted properties and put them back into viable use.
- Upcoming Meetings – Personnel Committee, June 13th at 7:30 p.m.; Town Council Special Meeting, June 27th, 7 p.m.; CCP meeting June 20th and July 2nd at 6:30 p.m.; and CCP Information Session, June 27th, time T.B.D.

- Town Hall closed on July 4, 2013 for Independence Day.

On item #2, Adopted State Budget, Mr. Schrumm asked about this being the final numbers to be dealt with.

Mr. Milone said these are the final numbers.

B. Department Status Reports.

C. Other

9. TOWN ATTORNEY REPORT AND COMMUNICATIONS
No report.

10. REPORTS OF COMMITTEES OF THE COUNCIL

A. Chairman's Report.

Budget Committee – Mr. Schrumm announced that the Capital Budget process will begin shortly; and the FY 13-14 budget will have to be adjusted.

Personnel Committee – Mr. Ruocco reported a meeting on June 13th to discuss the Town Manager's Goals and Objectives, and begin his performance review; and comparable information for salary review of the Town Clerk.

B. Miscellaneous

11. APPROVAL OF MINUTES – Regular Meeting of May 14, 2013; Special Meeting of May 21 and May 29, 2013.

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

MOVED that the Town Council approves the minutes of the Regular Meeting of May 14, 2013, and Special Meetings of May 21 and May 29, 2013, subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports

Public Building Commission – Mr. Sima reported that the PBC is moving forward on the summer work projects as soon as school closes for sidewalks and chimney repairs. Dehumidification project at the community pool is on hold. PBC is engaging a consultant on the locker room project, and the Planning Committee will discuss this project.

Water Pollution Control Authority – Mr. Schrumm reported that the bid specs for the treatment plant upgrade go out on Wednesday, June 12th; the return date is July 24th; and the Town will have a final number for the project.

Parks and Recreation Commission – Mr. Talbot reported that the park and recreation facilities are in outstanding condition, and he thanked Director Ceccolini and his staff for great work. The sports programs are all underway.

Performing and Fine Arts – Ms. Flynn-Harris reported that the coloring books for the Kensett event of May 19th are available for pickup by Council members. The film and program will be included in the 3rd grade curriculum in the next school year.

Cheshire Youth Theater – will be performing Suessical The Musical this summer. There is a Canine Carnival planned for Saturday, June 15th, 1 to 4 p.m. at the site of the planned dog park.

B. Appointments to Boards and Commissions

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

MOVED that the Town Council approve the following appointments and reappointments.

Dorothy Cantor, D, reappointment to the Housing Authority, term of office 6/11/13 to 5/31.18; and Heather Kiesling, D, new appointment to the Performing and Fine Arts Committee, replacing Doug Levens, term of office 6/11/13 to 1/31/15.

VOTE The motion passed unanimously by those present.

13. COUNCIL COMMUNICATIONS

A. Letters to Council.

Chairman Slocum informed the Council that a letter was received from Liberty Bank announcing a \$2,000 scholarship to CHS student Amanda Palladino. On behalf of the Council, Mr. Slocum congratulated Ms. Palladino.

Mr. Slocum reported on receiving a letter about naming a Cheshire owned parcel for someone, and asked Town Manager Milone about the process.

Mr. Milone advised that there is a Naming Policy in effect and he responded and sent the policy to the person. The formal request comes to the Council; goes through Parks and Rec Commission, Environment Commission and any relevant board or commission; there must be three letter of recommendation accompanying the request; and there are specific guidelines and criteria to be met relative to the person's contribution, years in Cheshire, etc.

B. Miscellaneous

14. EXECUTIVE SESSION

MOTION by Mr. Schrumm; seconded by Mr. Ruocco.

MOVED that the Town Council enter Executive Session at 10:13 p.m. to include Town Manager Milone, Personnel Director Zullo, Police Chief Dryfe, Town Attorney Johnson, to discuss land acquisition and personnel matters.

VOTE The motion passed unanimously by those present.

(Councilor Falvey left the executive session at 10:15 p.m.)

MOTION by Mr. Ruocco; seconded by Mr. Sima

MOVED that the Town Council exit Executive Session at 10:58 p.m.

VOTE The motion passed unanimously by those present.

MOTION by Mr. Ruocco; seconded by Mr. Sima.

BE IT RESOLVED, that the Town Council approves Resolution #061113-10.

RESOLUTION #061113-10

BE IT RESOLVED, that the Town Council approves a Memorandum of Understanding with the Police Union AFSCME, Council #15, Local 1720, with the terms and conditions as presented.

VOTE The motion passed 7-0-1; Ecke abstained.

15. ADJOURNMENT

MOTION by Mr. Ruocco; seconded by Mr. Sima.

MOVED to adjourn the Town Council meeting at 10:59 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk

