

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON TUESDAY,
OCTOBER 8, 2013 AT 7:30 P.M. IN COUNCIL CHAMBERS, 84 SOUTH MAIN
STREET, CHESHIRE CT 06410**

Present

Tim Slocum, Chairman; David Schrumm, Vice Chairman; Council Members Michael Ecke, Andrew Falvey, Patti Flynn-Harris, Sylvia Nichols, Thomas Ruocco, James Sima and Peter Talbot.

Staff: Town Manager Michael A. Milone; Finance Director James Jaskot; Gerald Sitko, Economic Development Coordinator; Dr. Greg Florio, Supt. Of Schools; Vincent Masciana, Director of Management Services, DOE; Louis Zullo, Personnel Director; Police Chief Neil Dryfe; Town Attorney Al Smith.

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 Cheshire Food Drive 40th Anniversary

On behalf of the Town Council and the Cheshire Community, Chairman Slocum commended Marlina Soble and John Nann, Co-Chairs of the Cheshire Food Drive and the organization, on the 40th Anniversary of the drive. Mr. Slocum explained that the annual food drive is held each November, and this year it is on the Town Green, November 2nd and 3rd, and the non-profit organization also collects food throughout the year for those in need in the community.

Ms. Soble thanked the Council for its recognition of the Cheshire Food Drive 40th Anniversary. The food drive will be held on November 2nd and 3rd on the Town Green, and food collection is a year round endeavor to stock the shelves of the Cheshire Community Food Pantry and feed residents in need. The organization is the financial support of the \$40 food vouchers administered by the Cheshire Human Services department. The goal this year is 40,000 food items and \$40,000 to fund the voucher program. Donations can be made on line at www.cheshirefooddrive.org and checks or cash at the food drive.

Chairman Slocum explained that the proclamation for the Cheshire Food Drive 40th Anniversary will be ready later in the week and given to the organization.

B. Public Comments

Tim White, 1682 Orchard Hill Road, commented on Solarize Cheshire and advised that the October 10th event has been rescheduled to November 14th, and proposals are down to three vendors.

4. CONSENT CALENDAR

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

BE IT RESOLVED, that the Town Council approves Resolution 100813-1.

RESOLUTION #100813-1
CONSENT CALENDAR FOR OCTOBER 8, 2013

BE IT RESOLVED, That the Town Council approves the Consent Calendar for October 8, 2013 as follows:

- A. Acceptance and appropriation of an anonymous \$50 Donation to the Human Services Gift Account for residents in need.
- 4B. Acceptance and appropriation of a \$500 donation from Adoria and Gerald Corcoran to the Cheshire Fuel Bank.
- C. Acceptance and appropriation of a \$20 donation from the Back to School Bash To the Youth Services Gift Account for general purposes.
- D. Acceptance and appropriation of a \$900 donation from the Archdiocese of Hartford to the Cheshire Fuel Bank.
- E. Authorization to execute an indemnification agreement with the New Haven Fire Department for use of facilities for training.

VOTE The motion passed unanimously by those present.

5. ITEMS REMOVED FROM THE CONSENT CALENDAR

6. OLD BUSINESS

7. NEW BUSINESS

A. Call for public hearing for amendment to fees for copies of ordinances.

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

BE IT RESOLVED, that the Town Council approves Resolution #100813-2

RESOLUTION #100813-2

BE IT RESOLVED, That the Town Council shall hold a public hearing to consider an amendment to the copies fees ordinance Section 2-8, and

BE IT FURTHER RESOLVED, that the Town Manager shall cause a notice of said public hearing to be posted and published according to law, and

BE IT FURTHER RESOLVED, that the date, time, and place or any postponements thereof shall be determined by the Town Manager with the approval of the Chairman of the Council.

Discussion

Ms. Nichols said that this public hearing will address the proposed fee increases for copies of new maps, bringing fees to a reasonable rate.

VOTE The motion passed unanimously by those present.

B. Authorization to negotiate an amendment to the Department of Corrections Agreement for the state correctional facility in Cheshire.

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

BE IT RESOLVED, that the Town Council approves Resolution #100813-3

RESOLUTION #100813-3

BE IT RESOLVED, that, pursuant to Public Act 13-152, the Town Council authorizes the Town Manager to seek and negotiate an agreement to the contract with the State of Connecticut for the correctional facility located in Cheshire.

Discussion

Ms. Nichols stated this approval gives Town Manager Milone the authority to deal with changes in the contracts between the State and Cheshire regarding the prison. This is allowed under new legislation passed, and Mr. Milone would come back to the Council for approval of the contract after negotiations.

Town Manager Milone said he will not go forward with anything before meeting with the Council, and putting together a list of items. The intention is to use this as a triggering mechanism for getting dates for negotiation, and there will be a meeting with the Town Attorney to develop a strategy. He explained that Attorneys Johnson and Smith have suggested not to have an open ended negotiation session...but have some period of duration and expiration. Otherwise this could go on forever. All of this could be dovetailed with the upcoming General Assembly session if we are not making progress.

Mr. Milone will keep the Council informed about outstanding issues, dollar values of each, and get authority to proceed. This was all precipitated by one key thing...it was thought there was a tentative amendment to the agreement for the State to pay 25% of the treatment plant upgrade costs. The State refused to sign the agreement, and sent things onto the legislature.

VOTE The motion passed unanimously by those present.

C. Acceptance and appropriation of a \$150,000 donation from Elim Park for Repairs to the Cook Hill Road Pump Station.

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

BE IT RESOLVED, that the Town Council approves Resolution #100813-4

RESOLUTION #100813-4

BE IT RESOLVED, that the Town Council accepts and appropriates a \$150,000 donation from Elim Park for the Cook Hill Pump Station Rehabilitation Project for immediate necessary repairs, with the balance applied to the capital cost of this project.

Discussion

Mr. Schrumm stated that this was a timely gift from Elim Park to help with repairs to the Cook Hill Pump Station. This station is failing, is dangerous to get into, and getting this repair work done will carry the station a little further and push the project out a little into the future. Elim Park realized that much of the material from their facility is causing the problems with the pump station and at their facility. The situation was discussed by Elim Park staff, Supt. Dievert, and Mr. Gancarz. The project is in the capital budget, will go out to bid, and remaining funds from the \$150,000 will go to the project.

A question was posed by Mr. Sima regarding the time when the pump station is out of service, and if there is a bypass plan in place.

Mr. Milone will have Mr. Gancarz provide a summary to the Council of how the process will work and time lines.

VOTE The motion passed unanimously by those present.

D. Authorization to apply for a Certified Local Government Designation from The State Historic Preservation Office.

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

BE IT RESOLVED, that the Town Council approves Resolution #100813-5

RESOLUTION #100813-5

BE IT RESOLVED, that the Town Council authorizes the submission of the Certified Local Government application to the Connecticut State Historic Preservation Office to request Certified Local Government designation, pursuant to the recommendation for the Cheshire Historic District Commission.

Discussion

Betsy Fox, Chair, Historic District Commission, explained the details of the submission for this certification. Having the certification will open up new grants for the commission with application for an annual \$2,800 grant for HDC operational costs, and \$30,000 non-matching grant for an historical research inventory of town buildings. This certification would make any grant application submission considered at a higher level. The application and contract have been reviewed by the Town Attorney's office and there are no issues or problems.

With regard to the structures for the inventory, Ms. Fox said they must be over 100 years old. HDC has started an inventory of barns, and the future inventory would be for domestic buildings, educational and worship structures.

Ms. Flynn-Harris expressed thanks to the HDC for the trolley tour that included identification of buildings and historical data.

VOTE The motion passed unanimously by those present.

E. Approval of WorldPay Credit Card processing contract extension

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

BE IT RESOLVED, that the Town Council approves Resolution #100813-6

RESOLUTION #100813-6

BE IT RESOLVED, that the Town Council approves extending the credit card processing agreement for the Town merchant account and the credit card processing agreement for the e-commerce account with WorldPay, each for a three year term from October 18, 2013 through October 17, 2016.

Discussion

Mr. Jaskot explained that this is an extension of the existing program. The Town has used WorldPay since 2005 with the Parks and Rec Department payments, and the payment method has been expanded to the Pool and Library. When taxpayers pay taxes they pay the 2.5% credit card fee; when people make payments through WorldPay the Town pays the fee. Last year the fees were about \$15,000, and Parks and Pool revenue was about \$350,000 with credit card payments. A comparison has been made with other towns, and Mr. Jaskot reported that WorldPay is comparable, and their fee even a little better than other vendors.

With this program, Mr. Milone stated that people can pay fees from home. He hopes this program can be expanded to other departments such as Fine Arts and Building.

The committee was told by Mr. Jaskot that Town departments using WorldPay are very satisfied with the vendor, its service, and ask that no changes be made. For tax payments the Town uses "Official Payments" and the card user pays the fee. Less than

1% of the town's taxes are paid with credit card. The fee for WorldPay is less than 2.5%.

Mr. Falvey asked about expanding this program to the Department of Education.

In response, Mr. Jaskot informed the Council that the BOE uses another service for their credit card payments. The Town went to WorldPay because they are compatible with the software in place in Town departments, and staff is very satisfied with the vendor.

Mr. Sima asked about extension of the contract without going out to bid.

Stating he was conscious of this, Mr. Jaskot said the vendor and the Town are working well together. Departments are pleased with the service, ease of use and response from the vendor. He did check with other communities and the WorldPay fees will be even with them, or a little lower.

With the Town continuing to use this vendor, Mr. Sima asked if fees would decrease.

This may happen in time, and Mr. Jaskot said other vendors can be looked at, but this company is compatible with the software programs in place.

Mr. Sima asked about there being fees out there that are lower, i.e. 1.5%.

Some fees are higher than 2.5%, and Mr. Jaskot reported that last year the Town paid less than \$15,000. If the fee is reduced it would be a decreased cost to the Town.

According to Mr. Slocum, the fee proposed is within the retail rates and is a good rate.

VOTE The motion passed unanimously by those present.

F. Approval of Clean Water Fund Project Loan and Grant Agreement

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

BE IT RESOLVED, that the Town Council approves Resolution #100813-7

RESOLUTION #100813-7

BE IT RESOLVED, that the Town Council approves this Resolution with respect to the issuance of interim funding obligations and project loan obligations pursuant to project loan and grant agreement No. C=WF 618-DC between the State of Connecticut and the Town of Cheshire, Connecticut, under the Clean Water Fund Program:

Section 1. The Town Manager and the Town Treasurer are authorized to execute and deliver any and all Interim Funding Obligations and Project Loan Obligations in the

aggregate amount not exceeding \$25,922,325.00. Such Interim Funding Obligations shall be dated as of their date of issue, shall mature within six months of the Scheduled Completion Date, shall bear interest at the rate of two percent (2.00%) per annum, shall be payable as to principal and interest as provided in the Project Loan and Project Grant Agreement entered into with the State of Connecticut (the "Agreement") and, to the extent not paid prior to maturity from the Town of Cheshire, Connecticut funds, may be renewed by the issuance of Interim Funding Obligations of Project Loan Obligations, all as provided in the Agreement. Capitalized terms used herein and not defined shall have the meaning ascribed to them in the Agreement.

Section 2. The Project Loan Obligations shall be dated as of their date of issue, shall mature no later than twenty years from the Scheduled Completion Date, shall bear interest at the rate of two percent (2.00%) per annum and shall be payable as to principal and interest as provided in the Agreement.

Discussion

Mr. Schrumm stated that this is a procedural matter; that the treatment plant upgrade starts very soon; and the State gave the Town a construction loan. When the project is completed it turns into permanent financing. This resolution authorizes Mr. Milone and Mr. Jaskot to make monthly payments as the project goes forward at a 2% interest rate.

VOTE The motion passed unanimously by those present.

**G. Approval of Public Works Collective Bargaining Agreement,
Possible executive session.
This agenda item was tabled for executive session.**

H. Cheshire Public Schools Administrative Personnel Contract.

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

BE IT RESOLVED, that the Town Council approves Resolution #100813-9

RESOLUTION #100813-9

BE IT RESOLVED, that the Town Council accepts/rejects the Cheshire Board of Education Administrative Personnel Contract.

Discussion

With this contract, Mr. Talbot asked about Appendix A, the list of levels and steps, and how they compare to the previous contract.

Mr. Masciana responded, saying he did not have the specifics on that issue. This is a four year contract with the total percentage just under 9%.

The maker and seconder of the motion withdrew the motion from the floor.

This agenda item will, possibly, be brought to executive session per the order of the Chairman of the Council.

8. TOWN MANAGER'S REPORT AND COMMUNICATIONS.

A. Monthly Status Report.

Monthly Financial Report – there are no concerns; things are tracking as expected; and Mr. Jaskot will provide an analysis in 3 weeks.

Police Department – Mr. Milone informed the Council that the department has five (5) retirements and two (2) resignations. There will be a significant output of vacation and sick leave payments, and an impact on short term overtime.

Medical Benefits – on the Town side they are tracking on a reasonable level; paid claims are less than expected; and the BOE is running as expected. There is \$1.59 million in the Town Medical Benefits Trust Fund, and \$2 million in the BOE fund.

Municipal Aid – the Town received \$182,000 more in municipal aid than expected. Mr. Milone referred to the changes made by the Legislature (item #2 in the packets), and the State requesting municipal administrators to certify the money is spent based on certain conditions written into the statute, which were unknown to municipalities. Mr. Milone has concerns about being confident, 2 months in the fiscal year, to spend the Town's budget in the identified categories to receive full municipal aid. At this time he does not know that the Town can hit \$1.1 million - as this is the number it must hit in expenditures related to the various infrastructure things to satisfy full receipt of this municipal aid. In the past the State had broad conditions on distribution funds; there was never advance certification of how municipal aid is spent; there is no indication of what happens if a municipality is unsuccessful in reaching the target amount; and it is left hanging whether capital appropriations can be applied to the funding. If so, Cheshire has no problem meeting this target. But, if it's just operating budget money, there must be considerable staff time spent going through line items and conditions the State has applied.

CCM had a meeting today with the chief executives throughout the state, who are uncomfortable about this matter due to lack of knowledge about it. The municipalities have until November 15th to sign the document. In the meantime, CCM will sit down with OPM staff to establish clearer guidelines, get answers to questions, and get a better direction on this issue.

Mr. Milone wanted the Council to be aware of this situation as it is unique in terms of the way municipal aid is handled by the State. The Town administration did not know about this until a week ago when the letter was received. OPM sent out all the information on the revenue items which Mr. Jaskot has calculated, but conditions were not attached.

Pool Closing – The Council was advised that the pool will close on October 15th; staff will be furloughed; Ms. Adams will remain on staff; she will manage and maintain the facility and work on preparation for what will be dealt with in the Spring. Mr. Milone has asked Ms. Adams to provide an estimate to keep the pool operational for the winter, and her estimate is \$25,000 to \$30,000. This is not winterization of the facility for which costs have been estimated at \$120,000 to \$150,000. Basically, we want to keep the heat running, water circulating, checking pipes regularly, and there has been talk about putting the tarp on the pool. The only concern is the tarp cannot hold much weight. It can function to keep the heat in the pool and keep electricity and natural gas costs down, but a heavy snow storm can cause it to crack and fall into the pool.

Mr. Milone stated much will depend on the outcome of the vote on November 5th for the pool referendum. The tarp cannot be used again, so it might make sense to cover the pool.

Land Acquisition Mountain Road Property – The closing on the Puchalski property was held this today; it is 102+ acres after the survey; the total Town land acquisition is 1,505 acres; the closing price on the Puchalski property is \$549,000. The Prospect CT portion of the property closes on Wednesday. Once the closing documents are received, the Town will apply for the \$200,000 open space grant, so the net cost to the Town would be \$350,000.

Linear Trail Status – Mr. Milone reviewed an e-mail from Tom Sheil, Milone and MacBroom. A meeting with concerned homeowners will be scheduled on Saturday, October 19th and Saturday, November 2nd, with notification to the property owners. One group will be the Chestnut Street residents, the area closest to the trail, where residents have concerns about noise and a buffer. The other meeting will be with property owners north of Jarvis Street where the parking lot is close to the back yards. Milone and MacBroom has put together a host of options to be looked at. The Councilors will be informed of the confirmed meeting dates and are invited to attend.

The Council was informed about a glitch which Mr. Sheil identifies in his memo. The project goes to IWW on November 7th. The project north of Jarvis Street is subject to additional archeological work due to findings in the first effort. Due to the nature of this project it had to have an archeological review, and there were some findings or material identified as some kind of “remains.”

Mr. Milone read an excerpt from Mr. Sheil’s memo into the record of the meeting. A copy of the e-mail is attached to these minutes.

This archeological investigation will delay the work on the Linear Trail. There is a requirement, when federal money is involved, that they invoke Section 106 Compliance Requirement, which brings in the archeological review and survey. If things are not done according to federal conditions the federal money could be jeopardized.

Mr. Schrumm said this is the area north of Jarvis Street, and West Main to Jarvis Street is okay and will not be impacted.

The Council was advised by Mr. Milone that this is one project, West Main Street to 400 feet north of Jarvis Street and incorporates a parking lot and path to the lot. If one small piece is delayed then the entire project is delayed, and the Town cannot jeopardize 90% of the funding. Mr. Milone will keep the Council apprised of developments. The concern is losing a season of construction if this does not happen quickly, and it could add \$10,000 to the design costs which the Town must pay.

Mr. Sima said he spoke with the Warden at the Prison Advisory Committee meeting, and he is committed to checking the parking lot every ½ hour to 1 hour intervals for safety concerns.

Fire Department Hurricane Preparedness Pamphlet – A copy of the updated pamphlet (storm related preparedness) was in the Council packets; it will be on the web site; and available at public buildings.

CodeRED – The company wants to sanitize the data base with no charge involved to the Town. A test will be run, calling all the numbers. Where there is a non-connected number, repeated tests will be done for more efficient operation of the system. Everyone will be notified of the tests in the next 2 to 3 weeks. There will be publication of the importance of the CodeRED program; text and e-mail messages and telephone calls are part of the program.

Freedom of Information Act Training Session – Due to violations of FOI by the Public Safety Commission – minutes were not promptly posted in 7 days, agenda notices were problematic, a meeting was cancelled without a cancellation notice. The training session will be held on October 16th, 7 p.m. for the Public Safety Commission, it is open to other boards and commissions, and Town staff will participate. At the start of the new calendar year, with new board and commission members, Murtha & Cullina may conduct an FOI session.

Mr. Milone commented on Cheshire's excellent compliance with FOI. He advised that when something is done wrong the commission is not very forgiving, and the Town has a good relationship with them.

Chairman Slocum asked what the commission would do because some minutes were not posted by a Public Safety Commission.

In response, Mr. Milone said they would highlight the key elements of FOI laws such as 24 hour notice of meetings, minutes must be filed within 7 days of the meeting, votes filed within 72 hours of a meeting, items cannot be added to a special meeting agenda, adding an agenda item at a regular meeting requires a 2/3 vote, cancellation notice of meetings must be posted. Mr. Milone noted that without a meeting cancellation notice, this could create the appearance of an illegal meeting held without minutes being taken.

These are things which people must be instructed about, and abide by for compliance with FOI. The Town must hold the FOI training session or it could be fined.

Ms. Flynn-Harris stated that although the complaint was against the Public Safety Commission for numerous omissions, there are many boards and commissions that have been remiss over the years. She said there should be an annual reminder about FOI, particularly for new board and commission members. Ms. Flynn-Harris commented on the great work and dedication of volunteers in Cheshire.

Mr. Falvey also commented on the hard work of volunteers in Cheshire, and the fact that FOI laws can be onerous. He does not want anyone thinking things are done behind closed doors without public knowledge. Nothing illegal has been done; the Public Safety Commission does a good job; and everything is available for the public to see. He expressed appreciation and thanks to all the Cheshire volunteers.

In the last four years there were many FOI requests made to the Town, and Mr. Milone said the Town established a good relationship with the FOI office. They understood Cheshire's concerns about being responsive without providing information that was not required.

Road Closure South Brooksvale Road (Culvert Construction) – The work culvert bridge work starts on October 16th where Cranberry Road and Abrahms Road cross South Brooksvale. A section of South Brooksvale Road will be closed just south of Bethany Mountain Road, and by Mountain Brook Road. There will be local access only. The expectation will be 3 weeks; the detour route is Avon Boulevard; and there will be a color map on the web site for residents to check out. The Town will have public notification in local newspapers, sign boards will be put up to inform people of the upcoming closure, and information will be on the web site. The CodeRED notification system will be used for a small group, up to ¾ of a mile from the center of the construction.

Town Hall Closure – Monday, October 14, 2013, Columbus Day Holiday.

Regarding the South Brooksvale closure, Mr. Sima asked that Town Manager Milone work with the Town of Hamden to get notification about heavier traffic on Mt. Sanford Road.

Chief Dryfe will handle this notification to Hamden CT.

Chairman Slocum brought forward agenda item 7H.

H. Cheshire Public Schools Administrative Personnel Contract.

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

BE IT RESOLVED, that the Town Council approves Resolution #100813-9

RESOLUTION #100813-9

BE IT RESOLVED, that the Town Council accepts the Cheshire Board of Education Administrative Personnel Contract.

Discussion

Dr. Florio addressed the Council on this agenda item, stating that the contract is simple and straight forward. The group has made an agreement, the BOE has approved it, and the cost with the steps is 2%, 2%, 2.25% and 2.25%. There are no major changes in the language; the BOE is looking to fully implement HSA for this 17 member group; and the change could range about \$10,000 depending on claims and activity. The cost of the contract are: 1st year, \$50,000; 2nd year, \$51,000; 3rd year, \$55,000; 4th year, \$57,000; a total of \$213,000 over the four years, or an 8.5% total cost. Last year the teachers' contract was 8.93%. The administration contract is average with other communities. Dr. Florio said the Council's responsibility is not to approve this contract, but accept or reject it, or take no action, and after 30 days it becomes effective.

Mr. Talbot asked about the steps in the contract compared to last year, and cited Appendix A, 2014-2015, noting the only difference is 2%...and if this was correct.

This is correct. The Council was told by Dr. Florio that most of the group is at the top, and there was one change over the summer, so costs could be lower.

Mr. Ruocco stated that the steps, in aggregate, are 2% with 17 people covered. He asked for the total cost of the contract.

Dr. Florio advised that the total contract cost is \$2.2 million.

VOTE In favor -3; opposed -6; The motion failed to pass.

B. Department Status Reports.

Mr. Milone stated that the Fire Department reports will be compiled similar to the Police Department report, and this new reporting will be in the November packet.

C. Other

9. TOWN ATTORNEY REPORT AND COMMUNICATIONS
No report; all matters are for executive session.

10. REPORTS OF COMMITTEES OF THE COUNCIL

A. Chairman's Report.

Ordinance Review Committee – Ms. Nichols said there will be a meeting on October 29th.

Planning Committee – Mr. Sima will hold a meeting in early November to discuss the dog park status, PEGPETIA grant, and winterization of the Cheshire Pool.

Personnel Committee – Mr. Ruocco had no report.

Budget Committee – Mr. Schrumm stated the fiscal year is going well; and the Town is ending the last fiscal year with a surplus.

Solid Waste Committee – Mr. Falvey will schedule a meeting to discuss the status of the automated recycling program and options for a bulky waste pickup.

B. Miscellaneous

Chairman Slocum received a letter regarding the State Prescription Drug Program, and asked whether the Town should look into this issue.

Mr. Milone explained that this program is for smaller towns that do not have insurance programs. He does not believe the program can do more for Cheshire than its current provider. State programs are generic, and there is more flexibility under the Town's carrier.

**11. APPROVAL OF MINUTES – Regular Meeting of September 10, 2013
And correction of Resolution #091013-8.**

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

MOVED that the Town Council approves the minutes of the Regular Meeting of September 10, 2013, subject to corrections, additions, deletions as follows:

Resolution #091013-8.

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

BE IT RESOLVED that the Town Council approves Resolution #091013-8

RESOLUTION #091013-8

BE IT RESOLVED, that the Town Council hereby amends the contract with the Town Manager, Michael A. Milone, with the adoption of the following changes:

- 1) Base annual salary to be increased to \$ 142,425.28 annually.
- 2) Increase the Town's share of the Town Manager's deferred compensation plan to 14% of the base salary.

- 3) Extend the contract to June 30, 2016.

This amendment is effective as of July 1, 2013.

VOTE The motion with correction of Resolution #091013-8
passed unanimously by those present.

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports

Historic District Commission – Ms. Nichols reported on the success of the trolley tour; 99 people went on the tour; there is a waiting list of 85 for the next tour; and there was a booklet detailing the tour stops.

Environment Commission – Ms. Nichols reported that the Boy Scouts have been doing projects in the open space areas, such as signage on the trails.

Public Building Commission – Mr. Sima said that the PBC is closing out all its assigned projects; has done an excellent job; and is looking forward to more projects. One outstanding issue is performance contracting. The Town hired a consultant to oversee Ameresco. The BOE and Town staff meet weekly going through the process making sure all the projects are worthwhile. There will be about \$9 million of projects to be done without cost to the taxpayers, and construction and maintenance to Town and school buildings in the coming years. Mr. Sima commented on the finished projects – the new sidewalk at the high school, shortened chimneys, flooring done in the schools, and air quality issues that have been completed.

Chairman Slocum informed the Council of an event at Ives Farm held by the Cheshire Land Trust, and acknowledged the Environment Commission for sharing information on Town properties.

WPCA – Mr. Schrumm noted that the water treatment plant upgrade project starts next week, and he commended the Authority for their work on this largest construction project every undertaken by the Town. This project will be completed in 2 to 3 years. Between State grants, additional fund, debt service reserve fund, this project will be underway.

Public Safety Commission – Mr. Falvey reported they meet on October 9th, and they do an outstanding job in a public and open fashion.

Parks and Recreation Commission – Mr. Talbot reported that the Commission is discussing the pool, preparation for winterization, and the dog park fence construction.

Performing and Fine Arts - Ms. Flynn-Harris commented on the successful charity auction for Arts Place which raised \$1,500 for the Art Heals program. There was a wonderful response, and something similar will be done next year, along with continued expansion of the West Main Street village area of Cheshire.

B. Appointments to Boards and Commissions

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

MOVED that Raymond Voelker (R) be appointed to the Economic Development Commission, to fill the vacancy of Robert Sepp, term of office present to 1/31/14.

MOVED that Courtney Cullinan (D) be appointed to the Performing and Fine Arts Committee, to fill the vacancy of Nancy Bert, term of office present to 1/31/15.

VOTE The motion passed unanimously by those present.

13. COUNCIL COMMUNICATIONS

A. Letters to Council.

Chairman Slocum reported on a letter received from Mr. Richmond, AZA Properties, regarding taxes. Mr. Sitko followed up on this letter and reported to Chairman Slocum.

B. Miscellaneous

14. EXECUTIVE SESSION

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

MOVED that the Town Council enter Executive Session at 9:00 p.m. to include Town Manager Milone, Town Attorney Smith, Personnel Director Zullo, Police Chief Dryfe, to discuss pending claims and litigation and personnel matters.

VOTE The motion passed unanimously by those present.

Chief Dryfe left executive session at 9:55 p.m.

Attorney Smith left executive session at 10:00 p.m.

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

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

VOTE The motion passed unanimously by those present.

MOTION by Mr. Ruocco; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #100813-8

RESOLUTION #100813-8

BE IT RESOLVED, that the Town Council approves the Collective Bargaining Agreement between the Town of Cheshire and Cheshire Public Works Employees Local 1303-202, Council 4, AFSCME for the term July 1, 2012 through June 30, 2016.

VOTE The motion passed 7-2; Ruocco and Sima opposed.

15. ADJOURNMENT

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

MOVED to adjourn the Town Council meeting at 10:15 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk