

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON TUESDAY,
JANUARY 13, 2015, AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84
SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Tim Slocum, Chairman; David Schrumm, Vice Chairman; Council Members Patti Flynn-Harris; Liz Linehan, Sylvia Nichols, Robert Oris Jr., Thomas Ruocco, James Sima, Peter Talbot.

Staff: Michael A. Milone, Town Manager; James Jaskot, Finance Director; Town Attorney Alfred Smith and Attorney Michael Markowicz; Shelia Adams, Pool Coordinator

Guests: State Legislative Delegation - Rep. Mary Fritz, Rep. Alfred Adinolfi, Rep. Lezlye Zupkus, Sen. Joseph Markley, and Sen. Dante Bartlomeo. CHA Chairman Bruce Klein. Tom Beebe, Arcadis Representative; Art Crooker and Mark Nash, PBC Members and Pool Committee members.

2. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

3. PUBLIC COMMUNICATIONS

A. Quarterly Consent Calendar Recognitions.

Chairman Slocum acknowledged donations from October to December 14, 2014 totaling \$31,442, and expressed appreciation to the donors on behalf of the Cheshire Community. Cheshire Fuel Bank received \$618; Human Services Gift Account received \$11,269; Library Gift Account received \$599; Parks Gift Account received \$18,884; Performing and Fine Arts Gift Account received \$72.

Donations were received from Yellow House Events, Adoria and Gerald Corcoran, Cheshire Lights of Hope, Town Employees, Cheshire Fire Department Fundraiser, I Could Have Read All Night Book Club, Cheshire Soccer Club, PB Property Management, BovanoFest for Scholarships, Cheshire Chamber of Commerce, Cheshire Lion's Foundation, and Aggregate Donations.

B. Public Comments.

Cindy Kleist, 251 Lancaster Way, addressed the Council on the annual \$150,000 Elim Park Gift to the Cheshire Police Department, and her disagreement with CPD receiving this gift. Ms. Kleist stated the assisted living residents at Elim Park do not pay taxes while living in an untaxed complex but use town services. In her review of the CPD gift account ledger she saw \$1 million in unexpected spending, i.e. police officer management training classes at Louisiana University, Police Chief convention expenses, CPD purchase of two new vehicles etc. Ms. Kleist asked for a review of the account and responses to her questions.

Darf Kleist, 251 Lancaster Way, commented on the Town's emergency shelter at the high school during a storm 2 years ago. He questioned why the facility was cold, why officers kept the doors open, and said nurses gave his mother warm towels to keep warm, and these nurses kept people alive.

Steve Levitt, Cornwall Avenue, informed the Council of his ongoing request for a natural gas pipeline to come down Cornwall Avenue to service Doolittle School and area residents. Since legislation passed 1 1/2 years ago he is getting nowhere, and NE Utilities told him it would cost him \$70,000 to bring the pipeline to the end of Cornwall Avenue and Mountain Road. The company would refund him some of this cost as other houses hooked up to the gas line, and reimbursement would be taxable income to him. His understanding of the legislation was that the gas company would absorb infrastructure charges and capital outlays. Mr. Levitt asked for a copy of the new legislative record on this matter, as Yankee Gas now wants \$1 million to bring the gas line down, and he questions this increase. Mr. Levitt requested a sub-committee be formed in Cheshire to explain what the plans are to bring in the line and the costs, and when residents can get natural gas. In this way Cheshire would develop the expertise and not accept the first numbers from the gas company. According to Mr. Levitt many residents want natural gas in their homes; many homes need to replace expensive oil burners, but want natural gas.

In response, Chairman Slocum noted there is a Town Energy Commission which can look into the process for bringing in natural gas to areas of Cheshire. He commented on the town investing in water main extensions and their high cost. With any utility, someone has to pay, but Mr. Slocum said \$70,000 is a high amount for a resident to undertake.

Town Manager Milone will have someone from Town staff contact Mr. Levitt on this issue.

With regard to the costs cited, Mr. Oris said it could be on a case by case basis, up front costs for the company with a return to users on the back end.

4. CONSENT CALENDAR

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-1

RESOLUTION #011315-1 CONSENT CALENDAR FOR JANUARY 13, 2015

BE IT RESOLVED, that the Town Council approves the Consent Calendar for January 13, 2015, as follows:

- A. Acceptance and appropriation of aggregate donations from the Cheshire Land Trust and Suburban Garden Club of \$1,600 for a memorial bench for Josephine Kowalski.
- B. Acceptance and appropriation of a donation of \$25 from David and Gail Coneita for a memorial bench for Linda Hammerman.

- C. Acceptance and appropriation of a \$6 donation from Yellow House event to the Human Services Gift Account for general purposes.
- D. Acceptance and appropriation of a \$73 donation from Cecchetti Ballet workshop to the CPFA Gift Account for annual scholarships.
- E. Acceptance and appropriation of a \$200 donation from the Cheshire Rotary Club to the Human Services Gift Account for the purchase of Printshop software for the Senior Center.
- F. Acceptance and appropriation of a \$500 donation from Michael and Marilyn D'Angelo to the Cheshire Fuel Bank.
- G. Acceptance and appropriation of a \$120 donation from Town Employees Dress Down Fund to the Human Services Gift Account to help residents in need.
- H. Acceptance and appropriation of a \$100 donation from Marie Hirschfeld in honor of the Richard Beaudoin and Ken Mita families, Bob and Pat Lucash and Elaine Barton to the Human Services Gift Account to help residents in need.
- I. Acceptance and appropriation of a \$11.70 donation from a Yellow House event to the Human Services Gift Account for general purposes.
- J. Acceptance and appropriation of an aggregate of \$20 in donations from the Senior Center to the Jitney Bus Fund.
- K. Acceptance and appropriation of a \$2,500 donation from the Temple Lodge 16AF to the Human Services Gift Account for residents in need.
- L. Acceptance and appropriation of a donation of \$300 from Cathleen Devlin to the Cheshire Fuel Bank.
- M. Acceptance and appropriation of a \$100 donation from Cathleen Devlin in honor of her mother to the Jitney Bus Fund.
- N. Acceptance and appropriation of a \$55 donation from Stephanie Ferrall and Violet Howard to the Jitney Bus Fund.
- O. Acceptance and appropriation of a \$400 donation from Barbara Cable to the Cheshire Fuel Bank.
- P. Acceptance and appropriation of a \$20 donation from Donna Harris to the Police Gift Account for general purposes.

VOTE The motion passed unanimously by those present.

5. ITEMS REMOVED FROM THE CONSENT CALENDAR

6. OLD BUSINESS

7. NEW BUSINESS

A. Presentation and discussion of Legislative Package with State Legislative Delegation.

State Legislators were welcomed by Chairman Strollo, who congratulated them on their re-election and expressed appreciation for the work they do on behalf of Cheshire.

The Legislative Package included the following items:

Prevailing Wage

Modify State-mandated compulsory binding arbitration laws to amend Section 7-473c

State aid for municipalities

Storm Water Management Permit Process Proposed Revisions

Expand the Season for Deer Hunting, Section 26-86a.

Chairman Slocum raised the ongoing issue with the prison system, and Department of Correction (DOC) money owed to the town which they will not pay. This is an important matter to the taxpayers in Cheshire and he asked for continued support of the legislators.

As a Connecticut and USA citizen Mr. Slocum commented on his dismay with the treatment of police departments/officers. He stated that police matter, need the full support of citizens, are important to public safety, and people should not line up with their detractors.

Mr. Milone commented on the prison issue -- the most significant time where the legislators were involved 3 years ago for the town to renegotiate the agreement with the State because Cheshire is a prison town. The town wanted a provision included for reimbursement for upgrades or expansions to the prison, the same as three other towns with prisons in Connecticut. Cheshire did not have this. OPM told Cheshire to amend the agreement; this was done by Murtha Cullina (Attorney Dwight Johnson); it was submitted to OPM; it was rejected because OPM does not amend agreements. This was in spite of the fact that Cheshire's delegation provided the town with many amendments to agreements with other prison towns within the last decade...yet OPM said it does not amend agreements.

The legislative delegation got legislation passed two years ago which required the State to negotiate and amend an agreement with Cheshire. The town went forward, tried to initiate dialogue to amend the agreement, but then there was a ruling that because of the lawsuit Cheshire has pending against the State they will not renegotiate the agreement with the town. An Assistant Attorney General indicated that one had nothing to do with the other, and said the way to resolve a lawsuit is to sit down and compromise. The next best effort was to make a claim against the State for back billing of 9 years the prison meter did not work and properly record discharge to the plant.

This started at \$1.5 million and because of interest is now at \$2.1 million. There is 9 years of back billing owed, and \$5 million claimed for the State portion of 20% of the upgrade to the treatment plant. At the recommendation of the town attorneys the \$7.1 million was submitted to the Claims Commission, and this move received the support of the legislative delegation.

Under the law it allows going back retroactively for one year, and the General Assembly unanimously approved Cheshire going back 9 years to reclaim this retroactive money. Mr. Milone said claims were submitted to the Claims Commission in May/June 2014, and the town has been stonewalled for 7 months...being told repeatedly the hearing cannot proceed because they do not have adequate information from the Attorney General's office on the State's defense to the claim.

Mr. Milone thanked the legislators for all they have done for Cheshire. With the prison issue, in each case where there looked to be legislative relief and it was pursued, the State found another way to thwart the town's efforts to pursue what was in the town's interest. At this time, the Claims Commission Chairman awaits information from the Attorney General's office; he has no authority over the AG office; and cannot direct them to provide information. The question is how to proceed from here.

Chairman Slocum stated the State will continue to find ways to stop payment, and this is outright theft of water to the treatment plant.

Because of the legislation passed, Sen. Bartolomeo said the town is now allowed to renegotiate the agreement, and we must get the State to do this. She said we have tried the route without requiring legislation with multiple steps and discussions. Even after the claim was officially filed, she met with OPM staff and told them Cheshire is serious. She asked for clarification on "water" and "sewer".

Mr. Slocum commented on this matter now requiring the Governor's ear.

Sen. Bartolomeo informed the Council the legislation is in place, and she has spoken to the Governor on the issue.

Mr. Milone clarified that we are arguing about the fact that excess effluent went to the plant for 9 years without payment for treatment. The State is talking prospectively about installation of new meters to better measure effluent going to the plant, but this does not help the matter. Tomorrow's metering is not the issue; it is yesterday's metering; and new metering does nothing for the confirmed 9 years of under payments.

Rep. Fritz commended Town Manager Milone on his patience on this issue. She has been involved in the process since the beginning, has called the A.G. office, could not talk to Attorney O'Neill, and her patience is at an end. Rep. Fritz will have a conversation with the A.G. office to accept or deny from the Claims Commission in the framework of the current legislative session. If the matter goes to the floor, she said both houses will vote for it because they believe Cheshire has not had its day in court.

Rep. Fritz noted that the Town of Suffield amended their agreement with DOC 6 times. She said the Town of Cheshire took all DOC prisoners, and the work of the people in the town should be respected. The fact should be recognized that 25% of the effluent is being paid by Cheshire citizens.

In that regard, Mr. Ruocco stated that for every 5 cents of back billing the Cheshire taxpayers have paid unnecessarily. He noted the Governor and Legislators talk about local tax relief but this matter has not been resolved in that same spirit, and not helping Cheshire citizens is unfair.

According to Chairman Slocum a larger element of this is letting agencies tell elected officials what to do for too many years. This is wrong, has been allowed to happen, and there is shame in this.

Ms. Linehan testified before the Judiciary Committee to make the claim, and going forward she asked if there is a deadline for the State to answer the claim to the Claims Commission. She asked if any legislation can be put forth to impose a deadline, and if it could work for Cheshire retroactively.

In response, Rep. Fritz does not believe there is, and some claims are from accidents of 10 years ago. Cheshire continues to suffer because the problem has not been addressed, and had it been addressed 9 years ago there would be no need for the claim. She said the legislators must take charge, and once the lawsuit was filed, everybody pulled back and did not want to deal with Cheshire.

It was explained by Mr. Milone that the lawsuit was filed due to the State's refusal to amend an agreement with Cheshire. It had nothing to do with the back billing and the Assistant A.G. made this clear at a meeting attended with State officials. The State's response was to not talk to Cheshire because of the lawsuit. He stated that the reason the town went to the legislature to get relief, when DOC would not amend the agreement, was because he was told by OPM Secretary that to amend the agreement the town had to get legislative relief. We got the legislative relief and the State refused to negotiate with the town.

Rep. Adinolfi said that to get legislation to put in a deadline would have to wait until the matter came out of committee.

The issue of State aid and PILOT levels to municipalities was raised by Ms. Flynn-Harris, who asked if the town is looking at any changes coming in taxes and resurrection of the car tax.

Rep. Fritz is uncertain if the car tax issue will come back this year, and said the question is what will replace this money on the municipal level.

Sen. Markley does not see the car tax as a major issue because State money must be involved and it is not there. He said the leaders want the PILOT funding; any change in

this funding may tilt towards cities more than towns; it would be best for the towns to get more State funding as it is needed and deserved; but towns can go forward with their budget process knowing funding is kept at current funding levels. Sen. Markley commented on the budget situation at the State level being very challenging, and it is similar to what it was 4 years ago.

Relative to being "held harmless" by the State Mr. Milone would be happy with this because of what he sees down the road. He said the problem is the Governor using the term "hold harmless", but the reality is not being held harmless. He holds appropriations constant; because of the formulas and more demand for fixed PILOT funds, Cheshire gets less money each year. Mr. Milone said the Governor holds the PILOT at \$88 million and this is how it is distributed, but this does not mean all towns get the same amount. Because the town's tax exempt property is not growing, Mr. Milone noted Cheshire sees the PILOT money diminishing each year.

Stating his agreement with Mr. Milone's comments, Sen. Markley said it would be better to leave the PILOT funding agreement alone.

Sen. Bartolomeo commented on getting further into the legislative session and her being on top of how Cheshire is affected. She asked that town staff and Councilors keep in contact with her. Regarding the Governor saying "hold harmless" she said one community does well and another is harmed due to different dynamics. She has worked with OPM on flexibility in spending in towns with similar Public Works Departments.

Mr. Oris thanked the legislators for their work on behalf of Cheshire, and said his comments do not reflect negativity towards them. He has a long list of items which should come out of the State, but will not get many of them. Important to him is modification of State binding arbitration laws, State Aid, PILOT funded at the right levels and not current low percentages, the State paying Cheshire what is owed for the prison effluent charges and do what is right by the town's taxpayers. If the situation were reversed the State would have Cheshire officials arrested. The situation is important to Cheshire and it is only fair the town gets the money it is owed. Mr. Oris asked legislators to continue to advocate for the town on this matter.

Stating these comments are correct, Sen. Bartolomeo said legislators agree on what is owed to Cheshire. The challenge to the legislators is the State saying it is not that simple; the State disputes what is owed to the town; and the State continues to go back to the meters not working, and the meter replacement.

Mr. Oris stated the fact that Cheshire is not being treated as fairly as other prison towns and this cannot be disputed.

A question was posed by Mr. Schrumm on the safe assumption Cheshire will be "held harmless" with the same funding...and if the town will get lower PILOT funding.

Rep. Fritz said that assumption is correct.

Mr. Schrumm noted that CCM does not talk enough about changes in the fundamental way municipalities do business with the State, thus causing the need for more money. There should be thought given to this issue, and Mr. Schrumm cited prevailing wage, and asked why this higher wage should be paid for every municipal contract but not private projects. Changing the labor situation would reduce State funding for municipal building projects, and things causing underlying problems should be fixed.

Regarding DOC payment for the effluent from the prison, Mr. Schrumm compared this issue to the food vendors supplying food to the prison for 9 years, not being paid, and having a valid claim for delivering food costing \$2.1 million over 9 years. He questioned why the State will not schedule meetings to talk about the issues (i.e. meters), and commented on the patience of Town Manager Milone with this ongoing situation.

According to Mr. Milone the DOC State situation has come to using the term "lies", and he said the State should negotiate with Cheshire, review the numbers, have dialogue to do business, and make progress. But, this is not happening, and this is the biggest frustration.

Under the existing circumstances, Mr. Schrumm talked about the Town of Cheshire withholding revenue owed to the State, putting the money in an escrow account until the town is paid what the is owed by the State, \$2.1 million for the DOC back billing. Then the town would pay the State the revenue. He commented on the state and federal lawmakers getting more lawless and it being time for some civil disobedience.

It was suggested by Rep. Adinolfi that the prison usage of water be measured with the new meters, and the town use this number in the negotiations with the State. He also noted that prison population is decreasing and the numbers could be unfair in negotiations.

Regarding prevailing wage Rep. Adinolfi stated there has been legislation to change the amount and adjust the numbers. Something is in the works through Rep. Carter (Reading CT). Reading CT had money donated for a new ball park, and due to the prevailing wage requirements the money was not enough to do the project. The proposed bill, which has strong legislative support, would exempt municipal projects using donated funds, from the prevailing wage requirement.

Mr. Sima raised the Dept. of Education issue of annual unfunded mandates coming to the town for the school system, and the DEEP storm water management permit. He stated the storm water management permit process will have a high cost to every municipality in Connecticut. The cost will be far in excess of the back billing owed to the town of \$2.1 million. Towns and cities cannot meet the demands set out there for catch basin cleanup, dissipate the water at a rate to stop it going into surface water etc. There must be a way for the legislature to stop DEEP regulations being imposed on the towns and cities.

The Council was informed by Rep. Fritz that she and Mr. Milone met with Wallingford officials and she has a proposal drafted dealing with MP4. It is not a regulation, and if it were it would go to the Rates Review Committee where it could be killed. It is a permit and is altogether different.

According to Rep. Fritz the State of Connecticut has done everything to keep Long Island Sound clean, but New York and New Jersey have not done much, with Connecticut picking up the tab for their not doing things properly. Under the DEEP regulation the towns and cities would have to street sweep twice a week. Costs would be astronomical. The proposal from Rep. Fritz is to limit all municipal costs associated with compliance with the DEEP storm water regulations adopted. She said no town or city can afford to do this, and she will speak to chairs of environment committees about the proposal and it being flushed out.

Mr. Sima thanked Rep. Fritz for this effort, and said in 2016 Cheshire could not meet the guidelines. He also commented on the police departments being beaten up all over the country, yet if something goes wrong people immediately call 911. Mr. Sima stated police departments make towns safe and Cheshire and other communities respect their police departments.

Appreciation and thanks for comments in support of police officers was extended by Sen. Bartolomeo, who advised her husband is a police officer for over 24 years. She knows what he does and the worries of her and her family for what he does and the sacrifices they all make for those they serve.

On the list of House Bills, Mr. Talbot cited #5276, enactment of unfunded State mandates. The bill requires a 2/3 vote of each Chamber to act on unfunded State mandates. Mr. Talbot also thanked the legislators for their work on behalf of Cheshire in Hartford. He thinks the issue of frustration is the reason why people have a contempt for government and its officials. It is stonewalling and prolonged debate about issues that could be resolved without much difficulty.

Rep. Zupkus has looked at the legislative package and agrees with the recommendations stated. For the waste treatment issue of 9 years there will be continued hard work to get the matter resolved. This issue is at the top of the list. She said legislators have heard everything stated by the Council on behalf of the Town of Cheshire.

Chairman Slocum discussed the concern about the two recent fatalities on Cheshire roads and they have been forwarded to the State DOT Commissioner. His observation is the lack of uniformity of crossing signals on many State roads, and asked legislators about their getting into this issue. Driving around the state there is inconsistency in the signal guards for drivers and people to observe.

The Council was told by Rep. Zupkus that she has contacted DOT on this issue. DOT is doing a study about inconsistencies on lights on Route 10 as well as better timing of the lights, particularly at night.

Ms. Nichols commented on hearing every topic being discussed and the inconsistencies she finds dealing with state agencies on a personal level. Projects that should take a year to get done are stonewalled and change in the process. This is frustrating to elected officials, and citizens question the veracity of what is going on in the State. Ms. Nichols does not know how this can be changed.

Sen. Markley remarked on the complexity of the executive branch of state government as being mind boggling. Many things are not answered by statute but have to do with bureaucratic behavior. In our attempt to impose consistency, Sen. Markley said there are mandates. Certain things can only be resolved by the administration with the legislature requesting action.

The issue of phosphorous, PA 1413, was discussed by Rep. Fritz, who reported she and Mr. Milone met with the Wallingford Mayor, when the two towns were shut out of the process of getting 50% reimbursement. DEEP's letter was nasty and Cheshire got put down to the bottom. She talked to DEEP and the big problem in PA 1413 is about contracts before July 2018...this has been removed and there is now no time specific. With phosphorous abatement it costs millions of dollars, and everyone should be treated the same way. In the bill it talks about a reduction at or below 2/10th mg per liter of effluent discharge, and it is changed for a reading on an average monthly basis.

Sen. Markley stated it is important limits not be placed on towns with forced expenditures and then reimbursement is not a significant question. He cited three things of legislative concern. One is the storm water issue, stream flow regulation, and in cases with bureaucratic decisions, legislative oversight is limited.

Another item for consideration was raised by Mr. Schrumm. He cited an elementary school in the State which closed this week because of air samples of pcbs. It was found to have 25-50 nano grams of pcbs per square liter of air. Mr. Schrumm stated this is the new asbestos witch craft hysteria, and guaranteed that every school and municipal building has pcbs. As it relates to mandates, he believes Hartford needs to get a grip and ask what is the real health issue here, and have Washington find any scientific evidence that what they are doing has any impact on people's health. Mr. Schrumm explained there are 453.9 billion nano grams in a kilogram of anything, and said this is what they are down to in the finite finding of things. Somebody must get a grip on the bureaucratic regulations.

Rep. Fritz stated that a "permit" does not go anywhere beyond a state department, and is very different from a regulation. This is the problem.

Chairman Slocum thanked the State Legislators for attending the meeting with the Council, and for the discussions, answers and responses to the many issues cited.

B. Conflict of Interest Disclosures.

Town Manager Milone referred to his memo of December 31, 2014 to the Town Council on the subject of Annual Disclosure of Conflict of Interest. Mr. Milone personally submitted his annual disclosure of Conflict of Interest as it relates to Milone & MacBroom, H.D. Segur Insurance, Murtha Cullina and Attorney Al Smith, Lead Counsel to the Town. Copies of the Town Manager's Memo, Resolution #091200-10, and Cheshire's Conflict of Interest Policy are included as attachments to the minutes.

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

The Conflict of Interest information has been distributed to staff, board, commission and committee members. Mr. Milone asked the Council members to carry the message as liaison to boards, commissions, committees. He commented on Cheshire's ordinance being the most rigorous in the State and wanting everyone to take it seriously.

Mr. Sima stated his married daughter, who lives in Meriden, is employed by the Board of Education and he may recuse or abstain in voting from time to time.

C. Bidding Requirements.

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-2.

RESOLUTION #011315-2

BE IT RESOLVED, that pursuant to Section 7-8(C)(1) of the Town Charter, the Town Council approves the requirements for sealed bids for February 1, 2015 through January 31, 2016, at a \$14,000 bid limit for non-construction related services and a \$28,000 bid limit for construction related services, and

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

- U.S. Government General Services Administration
- Capital Regional Council of Governments and any successor organization
- Connecticut Library Consortium
- Library Connection Inc.
- National Joint Powers Alliance
- Council of Government of the Central Naugatuck Valley and any successor organization

Western State Contracting Alliance (WSCA) - National Association of State
Procurement Officials (NASPO) Cooperative Purchasing Organization
Houston/Galveston Area Cooperative (HGAC)

Discussion

Mr. Schrumm explained that the limits have not been changed in 14 years. Inflation has increased 33% in 14 years, and Mr. Milone used 14% as the percentage increase in the bid limits -- non-construction related services, \$14,000, and \$28,000 bid limit for construction related services. This action will enable the Town to get the best prices possible for projects.

Ms. Flynn-Harris supports this resolution and is pleased limits have been raised after 14 years. She noted CPI increased 33% in 14 years, and the town is raising the limits by about half, of 14%.

VOTE The motion passed unanimously by those present.

D. Confirmation of resolution approving a procurement and construction administration agreement with BL Companies for the CHS Locker Room Project.

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-3.

RESOLUTION #011315-3

BE IT RESOLVED, that the Town Council authorizes the Public Building Commission to approve a procurement and construction administration agreement with BL Companies for \$17,800 per the proposal dated December 17, 2014.

VOTE The motion passed 7-2; Flynn-Harris and Talbot opposed.

E. Authorization to apply for a Community Development Block Grant (CDBG) for the Cheshire Housing Authority.

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-4.

RESOLUTION #011315-4

BE IT RESOLVED, that the Town Council authorizes application for a Community Block Grant (CDBG) or Small Cities Grant on behalf of the Cheshire Housing Authority for approximately \$700,000 to \$800,000 for Rumberg Road and Beachport walkways restoration and improvements.

Discussion

Bruce Klein, CHA Chairman, 100 Barytes Drive, stated the Authority is requesting the Council to use Cheshire's place in line for the grant. There can be only one application per year for the grant. CHA must ask the Council to cooperate with the Authority on sending a town representative to a meeting on January 25th to state the intention to apply for the grant, and allow use of the Town Council's name in the bid process for a consultant who will do the actual work on the project and describe the project. The consultant is only paid if there is successful receipt of the grant. The only financial obligation of the town is in the bidding process; there is no pass through of liability to the town; and the Council can affirm this at the end of the process and must approve the contract. Mr. Klein said CHA is requesting permission and support in the bidding process with town representative in attendance at the meeting, and CHA will provide clerical efforts for the bidding process and other requirements.

According to Mr. Klein, CHA has significant needs for Rumberg Road, a private road, that has been neglected and there are needs to be addressed. The project will be looking at the engineering of the loop around the Beachport Community, including the need to accommodate emergency vehicle access. An important part of the project is interior walkways within Beachport which suffer from age, tree growth, etc. and the need for handicap regulations compliance. Mr. Klein wants the State to help fund the re-design, eliminate stairways, install railings, and meet handicapped access.

Regarding the hiring of the consultant, Mr. Oris asked about the consultant preparing the grant application and the fee involved.

Stating he does not know the fee for the consultant, Mr. Klein expects it comes out of the grant funds, and is a percentage of the contract costs.

Mr. Oris asked if an outside consultant must be hired, or if there is someone on town staff to write the grant.

The Council was told by Mr. Milone that this is the worst grant to write, and an expert in community development block grants is needed to write the grant. Cheshire has applied for \$300,000 for the basement project at the Senior Center and was rejected. It is a unique process that must be understood with the person knowing how to write the grant. In the grant there is a permit of funding for the consultant, and the fee will be limited by the grant, i.e. 3% or 5%. The writing requires someone with a specialized background and expertise.

It is a competitive process and Mr. Klein said there must be consideration of the fact that CHA will be facing other professionals writing grants, and needs the right person in the right place.

VOTE The motion passed unanimously by those present.

F. Amendment to deauthorizing resolution for Wastewater Pollution Control Plant Improvements Project.

MOTION by Mr. Schrumm; seconded by Mr. Ruocco

BE IT RESOLVED, that the Town Council approves Resolution #011315-5.

RESOLUTION #011315-5

RESOLUTION AMENDING RESOLUTION #082911-4 DEAUTHORIZING PRIOR BOND AUTHORIZATIONS FOR VARIOUS CAPITAL PROJECTS.

(A copy of the Resolution and amended table is attached to these minutes)

Discussion

Finance Director Jaskot informed the Council that in 2011 there was de-authorization of about \$2 million in projects authorized. An additional \$45,000 was paid for the subject project with the General Fund paying up front. He wants to bond the project in the bond sale in February, and the General Fund must be reimbursed.

VOTE The motion passed unanimously by those present.

G. Amendments to Elderly Tax Relief Programs.

i. Call for public hearing for amendments to the Elderly Tax Relief Ordinance Section 17-6.

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-6.

RESOLUTION #011315-6

BE IT RESOLVED, that the Town Council shall hold a public hearing to consider an amendment to extend the Elderly Tax Relief Local Program ordinance, Section 17-6, and

BE IT FURTHER RESOLVED, that the Town Manager shall cause 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 postponement thereof, shall be determined by the Town Manager with the approval of the Chairman of the Town Council.

VOTE The motion passed unanimously by those present.

ii. Call for public hearing for amendments to the Elderly Tax Freeze Ordinance Section 17-15.

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-7.

RESOLUTION #011315-7

BE IT RESOLVED, that the Town Council shall hold a public hearing to consider an amendment to extend the Elderly Tax Freeze Program ordinance, Section 17-15, and

BE IT FURTHER RESOLVED, that the Town Manager shall cause 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 postponement thereof, shall be determined by the Town Manager with the approval of the Chairman of the Town Council.

VOTE The motion passed unanimously by those present.

iii. Approval of revised income levels for the 2014 Local Elderly Property Tax Credit Program.

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-8

RESOLUTION #011315-8

BE IT RESOLVED, that the Town Council approves the recommended qualifying income for tax credits and tax deferral for the Local Property Tax Credit Program Section 17-6 of the Code of Ordinances, as presented and attached, effective for the 2014 Grand List.

Discussion

A copy of the FY 2015-2016 qualifying income is attached to these minutes. Ms. Nichols stated that this is the annual review of the income limits to be approved by the Council.

VOTE The motion passed unanimously by those present.

H. Approval of revised change order agreement with Arizon Industries for a total contract price of \$2,837,371.

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-9

RESOLUTION #011315-9

BE IT RESOLVED, that the Town Council approves revisions to the Design-Build Change Order Agreement with Arizon Structures Worldwide pursuant to Change Order No. 001 for additional construction work as originally approved in Resolution #123014-1, for a total contract price of \$2,827,371, as presented and attached.

Discussion

Tom Beebe, Arcadis Representative, Mark Nash and Art Crooker (PBC Members) were present for this agenda item.

Mr. Beebe reported that the memo of December 30, 2014 was revised to reflect the following: \$6,500 was not articulated for foundation design; addition of credit for reduction of motors on the garage doors; and addition of LED lights for the pool structure. At that time two different change orders were being considered, and it was determined it could be the change order given to the Council on December 30th. The three financial amounts have been incorporated and articulated in the document before the Council at this meeting.

The Council was informed that the schedule quoted in the change order is for Arizon Structures, which is different from the project schedule. When Arizon finishes there is other work to be done -- pool testing, testing of the systems, address pool deck structure, addition of score board...and this work is completed after Arizon completes its work. The project schedule given to the Council on December 9th is unchanged. The Arizon schedule is included in the change order to the Council on December 30th.

Chairman Slocum stated that, to him, Arizon is the entire project now, and questioned the mis-step of the schedule stating July 2015 completion date and the change in the numbers. There is some frustration here, but the bottom line is the September 6th scheduled completion date, and Arizon is in charge of the project to that date.

Mr. Beebe explained that more work is to be done when Arizon completes its work. The work to be done will be facilitated as part of the insurance proceeds...such as repair of the concrete deck, painting and filling in the block wall, installation of score board, testing of all systems...and this is not part of Arizon's work. This is all work the town will facilitate. He noted that clients often assume end of construction is the end of the project, but that is not the case. We are back at the September 6th date for total completion of the project, and this was communicated on December 9th to the Council.

Stating her appreciation of the explanation about the different dates, Ms. Flynn-Harris said she hopes the error made in communication was due to the holidays and absence of Mr. Beebe and Mr. Goldberg. She said these were big mis-steps presented and the

burden is on Arcadis and the pool committee to make sure all details are covered. It should have been noted about Arizon's schedule versus the overall plan of construction. The communication of this detail would have averted disturbance between the Council and the public, and these things cannot go on with this project. Ms. Flynn-Harris does not believe another layer of oversight is needed with a Council subcommittee, as the Council hired professionals and put out the money for them to be responsible to the town. She suggested that Arcadis/Mr. Beebe give a report to the Council each month on the project to make sure it is done.

For clarification on the numbers, Mr. Oris understands the design of the foundation was \$6,500 and in the original budget of December 9th, in soft costs, and was not in the contract to be signed.

Mr. Beebe said that was correct, the \$6,500 was communicated as a soft cost.

Mr. Oris said this is no longer part of the town's cost outside the Arizon contract. He asked about his interpretation of the numbers in the proposal before the Council, that the credit and LED lighting were omitted.

According to Mr. Beebe these are treated as a separate change order because it was unsure if they would be a separate contract. Arcadis intentionally intended to treat it separately in order to get this change order for this contract to get it done as quickly as possible so Arizon could issue its sub-contracts.

Mr. Oris said he has lost some comfort, that Arcadis is the paid consultant and he hopes Mr. Beebe understands the numbers. The last meeting on the project was important, and Council voted on something that was erroneous, and he does not like when this happens. Mr. Oris said LED lighting was talked about in the budget on December 9th, and he did not know it was proposed to be dealt with as a change order. The number for the garage doors should have been dealt with prior to execution of the contract. It was stated by Mr. Oris that more detail and review of a project of this magnitude must be done. He is in favor of some additional oversight on this important project; has confidence in the PBC to move the project forward; and Council and town staff need to be more involved on a more regular basis. This project must be done on time and on budget, with a low contingency, without any mistakes.

The Council was told by Mr. Beebe that the additional cost of LED lighting is an option in the original contract and the option is being exercised with this change order.

A question was raised by Mr. Sima regarding the fire suppression system, sprinklers, and sufficient flow from the existing water main going into the building. He asked if anyone has contacted South Central RWA to see if there is sufficient flow.

In response, Mr. Beebe said the flow is adequate to handle the additional requirement of the sprinkler system.

Mr. Sima asked if there is anything else in the contract leading to unknown costs.

Mr. Beebe responded "no."

Questions raised at the last meeting were restated by Mr. Oris. He asked about exclusions in the contract relative to the fire protection work, flushing of the underground water main (not included) fire pump should not be required (not included), reduced pressure back flow should not be required (not included). These are should nots, and he wanted assurance these items are not needed, and if needed, what are the added costs.

According to Mr. Beebe there is no reason to believe these two items are required, and no costs have been identified. The terminology was used to reflect items not required. From the Arcadis analysis, they are not required.

Attorney Markowicz could not comment on the scope of work, has not reason to disagree with it, but has no knowledge on the matter.

With a low contingency and these items pulled out, Mr. Oris hopes the fire pump is not needed at \$150,000, and the contingency is only \$70,000.

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

I. Appointment of pool construction oversight committee.

Chairman Slocum referred to his memo to the Council on the pool project, the resignation of John Purtill from the PBC on January 31, 2015 and his valuable role in oversight of numerous projects, and the formation of a small oversight committee for the project. He has concerns about the disconnect, and the oversight committee (Councilors Sima, Oris, Linehan and Staff members PW Director Noewatne and Town Engineer Gancarz) will work closely with the Pool Committee, PBC and Arcadis. Mr. Slocum stated this committee will report to the Council and address questions from the Council, but will not distract from the PBC Pool Committee.

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-10

RESOLUTION #011315-10

BE IT RESOLVED, that the Town Council, in accordance with Section X.D of their Rules of Procedure, creates a Study Group/Pool Oversight Committee for the pool construction project, and

BE IT FURTHERE RESOLVED, that this Oversight Committee will work closely with the pool consultant, Arcadis, the Public Building Commission, and the Pool Committee. This Oversight Committee will receive notices of, and attend when possible, all

meetings pertaining to the pool construction project. This Oversight Committee will monitor construction activity and the project budget, and will report any issues immediately to the Town Manager and Town Council, as well as provide regular updates and relevant information and suggestions to the Town Manager and the Town Council, and

BE IT FURTHER RESOLVED, that the Council appoints the following individuals to this Pool Oversight Committee: Councilors Jimmy Sima, Rob Oris and Liz Linehan; and Town Staff George Noewatne, Director of Public Works and Engineering, and Walter Gancarz, Town Engineer, and

BE IT FURTHER RESOLVED, this Committee shall stand until the pool construction project is completed.

Discussion

Ms. Flynn-Harris expressed concern about growing government, and the existing Pool Study Committee which has never been disbanded, and still exists, with no final report given to the Council.

In reply, Mr. Slocum said the study committee no longer exists, and all members of this group are not part of the Pool Committee. The job of the study group came to an end during the capital budget process when the pool became a referendum issue.

Regarding the Oversight Committee, Ms. Flynn-Harris pointed out that PW Director Noewatne attends PBC and Pool Committee meetings, and is already involved. She questioned how the proposed committee will act, and if members must attend every PBC meeting for the pool.

Chairman Slocum does not anticipate the Oversight Committee members attending every meeting. He expects a clearer line of communication from the town's owner representative to the Public Works Department, town staff and Town Council. Since the Council signs the checks and seeks approval of the public, it has full responsibility for this project.

With regard to her suggestion to have Arcadis report to the Council as an agenda item each month, Ms. Flynn-Harris asked where it stands. She does not want a buffer between the Council and Arcadis, and she wants them to be responsible to the Council. After all that has gone on with the pool, Ms. Flynn-Harris is not against more oversight of the project.

This is something that still could be done and Mr. Slocum said if the Oversight Committee thinks this is appropriate, a report could be an agenda item. He has concerns about the management of this pool project.

VOTE The motion passed unanimously by those present.

J. Public Building Commission request for bid waiver to hire Detour Construction to perform sidewalk installation at various school buildings.

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-11

RESOLUTION #011315-11

WHEREAS, the Public Building Commission (PBC) has requested a bid waiver for the 2015 sidewalk portion of the District Sidewalk and Masonry Repair Project, and

WHEREAS, the PBC has been completely satisfied with the work of Detour Construction over the past two years, and Detour Construction has offered once again to honor their 2013 unit prices for said work,

WHEREAS, the Council finds it is in the best interests of the Town to continue this project with Detour Construction,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council approves a waiver of bid for said sidewalk project, and authorizes the PBC to contract with Detour Construction for said work at a budgeted cost of \$75,000.

Discussion

Mr. Sima informed the Council that Detour did a good job on the last project, is holding prices for this project, and the PBC requested the bid waiver.

Mr. Nash stated that Detour is holding the 2013 bid prices in 2015; the BOE and PBC are very satisfied with their work; and this is an ongoing project addressing the sidewalks in all of the schools.

VOTE The motion passed unanimously by those present.

K. Public Building Commission request for bid waiver to hire Jacques Consulting for design and construction inspection services for masonry wall repairs at various school buildings.

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-12

RESOLUTION #011315-12

WHEREAS, the Public Building Commission (PBC) has requested a bid waiver for the design professional for site assessments, development of specifications, and supervise procurement and construction for wall repairs at Dodd Middle School, Highland

Elementary School, and Cheshire High School as part of the District Sidewalk and Masonry Repair Project,

WHEREAS, the PBC has been completely satisfied with similar work that Jacques Consulting has performed for the Town over the past two years, and

WHEREAS, the Council finds it is in the best interests of the Town to continue this project with Jacques Consulting,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council approves a waiver of bid for said design professional work, and authorizes the PBC to contract with Jacques Consulting for said work at a budgeted cost of \$4,125.

VOTE The motion passed 7-1-1; Slocum abstained; Sima opposed.

L. Assessment appeal settlement and approval of stipulation; possible executive session.

(Mr. Oris was recused from this agenda item)

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

BE IT RESOLVED, that the Town Council approves Resolution #011315-13

RESOLUTION #011315-13

BE IT RESOLVED, that the Town Council hereby approves the tax appeal settlement and authorizes the execution of a Stipulation Agreement by and between the Town of Cheshire and Liberty Bank and Cole/Fusari, LLC, and

BE IT FURTHER RESOLVED, that the Town Attorney or his designee is authorized and directed to execute on behalf of the Town said Stipulation in the form and upon the terms and conditions as presented at this meeting.

Discussion

Attorney Markowicz informed the Council this is a real property tax appeal from the October 1, 2013 Grand List and five year revaluation period beginning October 1, 2013. This is a commercial building owned by Cole/Fusari and occupied by Liberty Bank at 160 Highland Avenue. The town assessed the property value at \$391,740, which is 70% of the fair market value which is just under \$560,000. The plaintiffs filed a tax appeal claiming the town's significantly over-valued this property, stating the fair market value is \$240,000. A proposed settlement was reached at a pre-trial conference in New Britain Superior Court before Judge Levine. The town appraiser looked at comparable sales and to look at the property from comparable sales, and it was found the plaintiff's comparable sales information did not support the \$240,000 value. After back and forth discussion, it was agreed to bring the Council a settlement in principle, with a fair

market value of the property of \$525,000. The fair settlement reflected a tax reduction of \$733.

It was noted by Mr. Schrumm that this changes the official assessment for the next five years; the cost is not \$733; it is the mill rate for the next five years; if the mill rate goes up the savings goes up; and the savings would be \$4,000 to \$5,000 over five years until the next assessment. He said it is assumed that the benefit is received by Liberty Bank, the tenant.

VOTE The motion passed 7-1-1; Schrumm opposed; Oris recused.

8. TOWN MANAGER'S REPORT AND COMMUNICATIONS.

A. Monthly Status Report.

B. Department Status Reports.

C. Other

Monthly Financial Report - the mid-year update will be submitted to the Council shortly; tax collection is ahead of last year by 1.5%.

FY 14 Comprehensive Annual Financial Report (CAFR) - copies were submitted to the Council; Audit Committee will schedule a meeting in January; \$943,000 surplus; fund balance at \$9.3 million or 9.4% of the operating budget; tax collection rate of 99.78%.

Revaluation Appeals Status - 6 appeals left to be resolved; report from Tax Assessor Panagrosso reflects expectation of revenue exposure of \$196,436 at 32.5 mills; the appeals list is smaller than the one 5 years ago.

Bond Sale \$15.0M - the sale is set for February 12, 2015; with a strong audit the town's financials look very good; the town should maintain its credit ratings - AAA with Fitch and AA1 with Moody's; the bond sale interest on the sale should be 50 basis points less than projected; the town is exploring changing rating agencies, replacing Moody's with Standard & Poors for a more realistic, objective, credit report and valuation. Mr. Milone stated that the town would not be bogged down by the conservative pressures of Moody's, bad calls over the last 4 years, and the likelihood of getting an upgrade with Moody's is slim. S&P's rating methodology is more broad and extensive and recognizes the intangibles that Moody's will not look at and the town argues about. Moody's looks at basic metrics, is rigid and dogmatic, and will not take the risk of an upgrade. S&P did rate Cheshire in the past, was replaced with Fitch because Moody's was considered the significant rating agency, but this is no longer the case.

Mr. Jaskot commented on the \$15.0M bond sale in February. Projects include sidewalks and the pool; the WWTP has nothing to do with this sale; the CWF loan is from the State; on the debt schedule it shows a big spike in 2018 caused by the 3 year

accumulation of interest on the WWTP project that has to be paid, and 6 months later is payment of the principle obligation.

Pool Lesson Revenue - there has been revenue of \$9,300 for winter session swim lessons at Elim Park; lessons will continue through the winter with expectation of

\$10,000 in revenue, and costs of \$3,000 to \$3,500; this is another \$6,000+ revenue for the pool budget.

DOT Response RT 10 Pedestrian Fatality - The Town of Cheshire through Chief Dryfe is working collaboratively with DOT on this issue. The State will paint cross walks at the Cheshire Shopping Plaza and Everybody Plaza, with curb cuts and curbing at the town's expense. Cheshire has agreed to do this. DOT will look at other areas in town and is committed to these two areas. Regarding signage and adequate notice to drivers about the cross walks there is no answer yet from DOT. DOT will review the condition of pavement and markers. Mr. Milone will pursue signs to "yield to pedestrians" from CPD.

Road Repaving Report 2014 - the report was submitted to the Council; total cost of the work is \$1.669 million; in 2015 available funding is \$1.929 million; 28 miles of road repaved; 7 miles of newly resurfaced roads; 16 miles were crack-sealed. There was asphalt compaction testing done on all the roads which made a big difference and quality is not compromised with roads successfully fixed.

Mixville Dam - this project is close to completion; \$250,000 appropriated, and it is coming in about \$90,000 under budget. Town Engineer Gancarz will proceed with plans for the spill way bridge and creation of a ramp over the dam and circular walk way around the pond.

Unsafe Living Conditions/Hoarding Work Group Status Report - the Council received a report from Director Piccerillo. The question is the role for intervening with people and the home, without invasion of privacy. There is a need to heighten people's awareness about this issue, and people forewarning about those needing assistance.

Solar Panels and Impact on Firefighting - Mr. Milone referred to the report from Chief Casner which reviewed the elements of firefighting operations for homes/businesses with solar panels. The report states CFD must be careful; there is minimization of ventilation of the roof; panels are slippery; all panels must have a permit so firefighters know solar panels are installed; and the firefighters continue to train for dealing with the panels. Mr. Milone has talked with the Building Official to have a uniform standard to de-energize the house if there is a fire.

FOI Issues Related to Meeting Minutes of Boards/Commissions/Committees - there will be a report to the Council shortly on the research.

Insurance Limits - Mr. Milone advised there is additional information for insurance limits on bidding requirements to be presented to the Council. There will be modification to some of the things done based on discussion with the insurance representative.

CT Fastrack Open House - January 21, 2015 in Cheshire Town Hall to make towns aware of the bus service, making connection with towns for rider ship to the New Britain Bus Terminal for trips to Hartford.

Upcoming Meetings - Personnel Committee TBD, rescheduled from January 6, 2015, for a status report on the Town Manager's Goals and Objectives.

Upcoming Holiday - Monday, January 19, 2015, Town Hall closed for Martin Luther King's Birthday.

Cheshire Fire Department - Chairman Slocum commented on the Town pride in seeing a Cheshire Police Officer on a motorcycle at the New York City recognition of fallen police officers. He commented on the good reports submitted by Chief Dryfe, and requested the introduction of new police officers to the Council.

9. TOWN ATTORNEY REPORT AND COMMUNICATIONS

Attorney Smith reported on the status of the cell tower which was approved by the Siting Council. The final language is being reviewed, followed by preparation of the development of the management plan with specifications for the town structure.

Mr. Sima reminded Council about the start of the cell tower process, which was originally planned for Meriden, and FAA would not permit the installation because of the airport. The next area was Cheshire for coverage of cell phones to reach Meriden and parts of Cheshire with little coverage.

It was noted by Mr. Schrumm that the Siting Council approved a height of 180 feet, but got what is needed at 165 feet, and the company will go with a lower tower.

Mr. Milone said the condition was 180 feet needed to get from point to point for adequate coverage.

10. REPORTS OF COMMITTEES OF THE COUNCIL

A. Chairman's Report.

i. Referral of process for bidding and purchase of Fire Apparatus to Committee.

Chairman Slocum referred the Fire Ladder Truck Acquisition to the Budget Committee for review and recommendation. He said Chief Casner provided information to the Council on the consultant. Mr. Dan Ford informed him that timing is important to get the process moving on prices and there are concerns about price increases.

With regard to the fire apparatus going to the Budget Committee, Ms. Flynn-Harris expressed concern about a conflict of interest for Councilor Schrumm as his brother works in the fire apparatus industry. She said the CFD does have a process followed which has not been a problem, except in the opinion of other people.

In response, Mr. Schrumm stated his brother is a volunteer member of the CFD, does work in the industry, but does not get involved with bidding on CFD fire equipment. If his brother's company was involved in the bidding process, Mr. Schrumm said he would recuse himself from the matter. This is a \$1 million purchase, and Mr. Schrumm said he knows a lot about the purchase of fire trucks, is opposed to paying \$25,000 to \$50,000 more for a truck and Cheshire does not have a process in place for purchase of a fire truck.

Chairman Slocum reaffirmed referral of the fire truck purchase to the Budget Committee.

B. Miscellaneous

11. APPROVAL OF MINUTES

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

MOVED that the Town Council approves the minutes of the Regular Meeting and Public Hearing of December 9, 2014, Special Meetings of December 16 and 30, 2014, subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports

PBC - Mr. Sima reported the PBC completed the roof over the mechanical section of the pool, and the project came in under budget.

Pension Board - Mr. Ruocco reported the Board has not met; there is no report.

WWTP - Mr. Schrumm reported the treatment plant project is ahead of schedule and under budget.

BOE - Mr. Oris attended the January 6th BOE Budget Committee meeting. For 2015 the proposed BOE budget is \$69.43M, a 5.19% increase. The biggest driver of the increase is medical benefits, a 19.5% increase and 59% of the total budget increase. A budget meeting is scheduled for January 20th at Dodd Middle School.

Parks and Rec Commission - Mr. Talbot informed the Council that Joe Loda has been selected as "Recreation Person of the Year". Mr. Loda has been involved with CYB

and CYS for many years and is deserving of this recognition. There will be a new electronic sign board at the Youth Center area in front of the high school. The new board is being paid through donations of \$10,000 from the Lions Club, \$10,000 from the BOE, and \$10,000 from the Parks and Rec Department.

Arts Place - Ms. Flynn-Harris reported the winter schedule started on January 12th; there are some open classes; and plans for Arts Day is underway.

PZC - the survey is on the web site and residents are encouraged to complete the survey before the final tally is done.

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

MOVED to extend the Town Council meeting beyond the 11:00 p.m. curfew until the conclusion of business.

VOTE The motion passed unanimously by those present.

B. Appointments to Boards and Commissions
No appointments.

13. COUNCIL COMMUNICATIONS

A. Letters to Council.

B. Miscellaneous

14. EXECUTIVE SESSION

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

MOVED that the Town Council enter Executive Session at 11:01 p.m. to include Town Manager Milone and Town Attorney Smith to discuss land acquisition.

VOTE The motion passed unanimously by those present.

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

MOVED that the Town Council exit Executive Session at 11:10 p.m.

VOTE The motion passed unanimously by those present.

15. ADJOURNMENT

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

MOVED to adjourn the Town Council meeting at 11:10 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk