

MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD IMMEDIATELY FOLLOWING THE 7:00 P.M. PUBLIC HEARING ON TUESDAY, SEPTEMBER 13, 2016 IN COUNCIL CHAMBERS, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

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

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

1. ROLL CALL

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

2. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

3. ITEMS FOR EXECUTIVE SESSION

- A. Land acquisition**
- B. Personnel Matters**
- C. Pending Litigation**

Chairman Oris moved Executive Session to the end of the meeting.

4. PUBLIC COMMUNICATIONS

A. Public Comments

John Lambert, Attorney, represented the Richmond Glen Homeowner's Association. Attorney Lambert informed the Council that for 100+ days his clients have been putting up with and suffering from loud bursts/noise from a propane cannon being shot off by the owners of Hickory Hill Farm (Mr. and Mrs. Kudish). He read an excerpt from State Statute 22-26(g) into the record which cites undue hardship, and says a legislative body can adopt a resolution for the Commissioner of Agriculture to withdraw the permit for the cannon.

In his research, Attorney Lambert visited other farms, spoke to farmers, and learned they do not use the propane cannon to scare crows off their land. Out of the many farms in Cheshire, Hickory Hill has the only permit for the cannon. The residents surrounding Hickory Hill Farm are experiencing an undue hardship. The Council is being asked to adopt a resolution acknowledging this hardship, and request the Commissioner to cancel the permit and/or decide on the correct balance between residents and farmers.

Chairman Oris asked if the regulations allow the Commissioner to add an alternative for a best practical use procedure.

According to the statute, Attorney Lambert said the Commissioner can do whatever he pleases...he can say the cannon can be used 50 times a day rather than 100 times.

John Capone, Gibson Associates, Inc., stated his firm is the licensed manager of the Richmond Glen development. He gave a brief history of the development, noting there were no issues over the first few years with Hickory Hill Farm owners. In Fall 2014 The Kudish Family held a wedding at the farm property, with loud music until 11:30 p.m. and a party celebration until 1:00 a.m. In early 2016 Mr. Kudish filed a special permit application with the Planning and Zoning Commission to hold weekend weddings and events, May through October at the farm. There was opposition to the application from the Richmond Glen residents due to their experience from the prior wedding. Mr. Capone said the residents purchased homes next to a farm expecting a quiet environment. In April 2016, Hickory Hill Farm withdrew the special permit application.

Shortly thereafter, from June 6, 2016 to the present day, Mr. Kudish has been using the cannon bursts to scare away birds...from 7 a.m. to 8:30 p.m. daily. There are at least 138 bursts per day, sometimes up to 414 bursts. Complaints have been filed with the Department of Agriculture (DOA), and someone came to the farm, and measured 85 decibels at the property line...just under the 100 decibels permitted.

On July 22 there was a complaint to the Cheshire Zoning Enforcement Officer. The Town does not have an ordinance or guidelines regarding noise or permitted use, and nothing could be done. Mr. Capone cited the August 8th complaint to DOA, with an inspection and recorded 94 decibels at the property line. On August 12th the attorney for Brodash Builders sent a letter to Fred Kudish requesting he stop the repeated cannon firing noise. Mr. Capone read an excerpt from the letter into the record. He advised he sent a letter to Hickory Hill Farm owners requesting they stop the cannon bursts because it is an undue hardship to the Richmond Glen residents. The letter was never answered. A letter was later received from Lyn Kudish in which she denied causing hardship from the farm.

On August 22nd, Mr. Capone reported that Town Manager Milone visited the Richmond Glen development, spoke with residents, and heard the cannon blasts which were very loud but within regulations.

On September 1, 2016, Mr. Capone sent a letter to the Cheshire Town Council regarding the problem of propane cannon bursts, noise, and effects on the Richmond Glen residents. The letter requests the Council to deem continued and repeated use of the cannons as a substantial hardship to the people of Richmond Glen; request DOA to revoke the permit and not renew it next year; or have the Commissioner cite alternative ways to be used at the farm.

Mr. Capone read an excerpt from CGS 19(a)341 into the record. He said propane cannons are not an acceptable or normal farming procedure, and asked for Council action on this matter.

Tim Galvin, 95 Richmond Glen Drive, described what it was like to listen to the propane cannon bursts in his home during his wife's hospice care. He said his wife enjoyed looking outside at nature, and this was taken away by the propane cannon bursts which forced her to stay inside her home with doors and windows closed. Mr. Galvin said his wife became startled and awakened by the cannons going off...they were heard in their living room...and his wife was robbed of many peaceful days. He wants to insure no one else suffers this indignity. Mr. Galvin requested the Council submit a letter to the Commissioner of the DOA on behalf of the residents.

Dorothy Mutkowski, 45 Richmond Glen Drive, former CHS music teacher for 30 years, said the noise from the cannons is not musical, but is assaulting, for Richmond Glen residents. She requested the Council stop this; it is wrong for Cheshire; and thanked Council members for their service to the community.

Georgianne Caruso, 75 Richmond Glen Drive, said she knew there would be some noise from the farm, but never expected to hear cannon bursts that are louder than gun shots in a war zone. The farmer has not stopped using the propane cannons, and it is unnecessary, intrusive, and affects the quality of life. Ms. Caruso noted that Norton Farms does not use the cannons, but uses soap on the tree bark, has permitted hunters that shoot the deer, and expects some damaged fruit from the wild life. The Kudish family withdrew its permit for wedding and events after opposition from Richmond Glen residents, and is now firing cannons without regard for residential areas around the farm. No other Cheshire farm uses these cannons, and Ms. Caruso said Hickory Hill started using them after withdrawal of their PZC permit. She asked the Council to petition the DOA to stop the cannons and not renewal the farm's permit.

Bill Clark, 525 Richmond Glen Drive, said he never heard the cannons until this June, and people should not be forced to live in a bunker. He asked the Council to take up this matter and help find a resolution.

Steve Morocca, 65 Richmond Glen Drive, teacher in Cheshire for 45 years, addressed the Council about the cannon burst issues, and the effect on his wife who has M.S. In buying his home he expected a quiet environment living near two farms. With the cannon bursts, his wife, who uses a walker, is startled, falls, must be picked up. He pleaded with the Council to help rectify the problem for the Richmond Glen residents.

Paul Milolinski, Richmond Glen resident, explained he was off work this week, and cannons were quiet most of the days. After 4 p.m. the bursts started until later in the evening. He believes the use of the cannons is retaliation from the Kudish family for Richmond Glen's opposition to the weddings/events PZC permit.

Ray Squier, 291 Cook Hill Road, asked about agenda item #8 regarding the Town Charter revision, if meetings would be open to the public to make comments. He also cited 9E, Chapman Property, and if there would be public input on this item.

Chairman Oris explained said there is opportunity for minimal public comment on these items when they come up on the agenda. There will be many public hearings on the Charter revision with public input.

Fred Kudish and Lyn Kudish, owners of Hickory Hill Farm, addressed the Council about the cannon burst issue. Mr. Kudish said this has been the worst year for the farm, with loss of peaches, honey crisp apples, and birds eating the fruit. He decided to use the cannon, which has been in use for 35 years but not every single year, and once the honey crisp apples are picked, he will not longer use the cannon. He needs the honey crisp apples to survive. Regarding use of the cannon, it goes off every 10 minutes (could be every 5 minutes) so he is doing half of what is permitted. The cannon is used 8 a.m. to 2 p.m.; is turned off until 4:30 p.m. and then used from 4:30 p.m. to 7:30 or 8:00 p.m. He is following State regulations; regulators came out to measure the noise; the cannon goes off 6 times an hour; and there are 40 farms using cannons in the State. Mr. Kudish appreciates it being a hardship, but said the cannons move birds out of his trees, and he could have used the cannon in April with his permit. Using the cannon 6 times an hour for 7.5 hours is 42 bursts a day.

Councilor Linehan asked about the pallet fence installed at the farm, which residents believe was retaliatory. She questioned reasons for the fence and being convinced it was not retaliatory.

Lyn Kudish said the farm is not in a position for a fence right now, over 8 feet is not permitted, and the fence was up less than 24 hours, to get an estimate of where the future fence would be for height. With regard to her daughter's wedding on the farm, she said it was over at 11 p.m., facts have been fabricated, the party was moved to her front yard, and the last bus left at 2 a.m. Mrs. Kudish said the wedding has nothing to do with the permit request from PZC or use of the cannon, and a 6 foot fence is being installed.

It was stated by Mr. Kudish that using a scarecrow, pie plates, balloons, does not work in keeping crows away from the farm. The problem is little birds wanting moisture and pecking at the fruit. The DOA permits the use of the cannon and he uses it when there is a problem. He starts the cannon bursts in the morning, turns them off for a few hours, and restarts the bursts later in the day.

All of this has to do with farming, and Mrs. Kudish said it is not retaliation. She noted that no one has ever called them and cited situations and hardships, or they would have tried to get along and make alternatives to keep the farm going and crops growing.

Regarding the PZC permit, Mr. Kudish said there was only one thing found that is being corrected. He expressed appreciation to the Council for being able to speak and discuss the situation.

Slade Wilson, 365 South Meriden Road, noted his home is the old farm house and he has lived there 10 years. A few years ago there was no cannon firing, and this year it is

more than ever before, 8 a.m. to 8:30 p.m. Any statement that this is not out of spite by Mr. Kudish is ridiculous. He cited instances that have occurred with him and Mr. Kudish. Mr. Wilson stated firing of the cannons is done without care for the community. He has called Cheshire Police about Mr. Kudish on many occasions. Mr. Wilson requested the Council help solve the situation as the cannon bursts are louder than military guns.

Diane Annetta, 25 Richmond Glen Drive, has heard the cannons before but never as loud and long as this year. This year is different, and the situation is not livable.

Linda Hofbauer, 125 Richmond Glen Drive, said her property backs up to Hickory Hill Farm, and she is impacted by the noise. She commented on hearing about someone's wife dying, a resident with M.S....and Mr. Kudish coming up and talking about his crops, and bringing a bag of fruit with him. The situation is horribly demeaning to all the residents, and she hopes the Council will help solve the problem.

Attorney Lambert said this is not about weddings or retaliation or whether Mr. Kudish is within his perfect rights...the HOA wants the Council to contact the Commissioner of DOA about the cannon bursts and undue hardship on residents. With regard to other farms in Connecticut having cannons, these farms may not have people for miles around, but all people have the same rights to state undue hardship. Mr. Lambert displayed the signed Kudish permit application from DOA, and noted animals to be controlled were "crows"...there is nothing about little birds.

Mr. Capone commented on a State Statute 22-26(g) citing no cannon firing within 50 feet of a dwelling; 500 feet is the required space; and Kudish is in violation of his permit.

Following the discussion on the Hickory Hill Farms issues, the Council talked about adding an agenda item, and made the following resolution.

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

MOVED that the Town Council approves adding Agenda Item 9F, Resolution Authorizing Communication to the State of Connecticut Commissioner of Agriculture.

VOTE The motion passed unanimously by those present.

5. APPROVAL OF MINUTES

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

MOVED to approve the minutes of the Regular Meeting of August 9, 2016, Public Hearing of August 16, 2016, Special Meetings of August 16, 17, 18, 22, 24, 30 and 31, subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

6. CONSENT CALENDAR

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

BE IT RESOLVED, that the Town Council approves Resolution # 091316-1

RESOLUTION #091316-1
CONSENT CALENDAR FOR SEPTEMBER 13, 2016

BE IT RESOLVED, that the Town Council approves the Consent Calendar for September 13, 2016 as follows:

- A. Acceptance and appropriation of an anonymous \$50 donation to the Human Services Gift Account for general purposes.
- B. Acceptance and appropriation of a \$1,750 aggregate donation for a Memorial bench in honor of the Cheshire Police Department.
- C. Acceptance and appropriation of a \$10 donation from Operation Fuel To the Cheshire Fuel Bank.
- D. Acceptance and appropriation of a \$25 donation from Deborah Wylie To the Library Gift Account for the purchase of planting bulbs.
- E. Acceptance and appropriation of a \$147 donation in memory of Margaret Anderson from Marion and Anthony Arcesi to the Library Gift Account for the purchase of planting bulbs.
- F. Acceptance and appropriation of \$400 donation from the Cheshire Rotary Club to the Library Gift Account for children's educational technology.
- G. Authorization to apply for the State of Connecticut's FY 2017 Comprehensive DUI Enforcement Program for Municipal Police Department Grant.
- H. Appropriation of \$599.28 earned interest in the Energy Performance Contracting escrow account to the General Fund for payments to the Energy Performing Contract lease.

VOTE The motion passed unanimously by those present.

7. ITEMS REMOVED FROM CONSENT CALENDAR

8. OLD BUSINESS

A. Discussion re: Charter Revision

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

BE IT RESOLVED, that the Town Council approves Resolution # 091316-2

RESOLUTION #091316-2

BE IT RESOLVED, that the Town Council, pursuant to Chapter 99, "Municipal Charters and Special Acts" of the Connecticut General Statutes and Section -6 of the Town Charter, hereby initiates action for consideration of amending the Cheshire Town Charter.

Discussion

Mr. Bowman stated that if the resolution is approved there is 30 days to come up with people to serve on the special Town Council Charter Revision Committee.

Chairman Oris said the Council must decide to move the Charter revision forward, and cited the process to move forward. There is a 30 day period to select the committee; the time frame must be put forward for the committee to come forward to Council with recommendations or no recommendations; the process could take up to 16 months; recommendations are either approved or not approved by the Council; then Council decides to move the revision to the residents for a vote. There will be many opportunities for public input throughout the open process.

Councilor Ruocco stated he is not in favor of opening up the Town Charter because he does not believe there is anything to be revised. The Charter outlines how town government works, and it is working fine. For a Charter Revision Committee, Mr. Ruocco stated Councilor Bowman should be a committee member.

Councilor Slocum is not uncomfortable with opening up the Charter, is open to looking at it, and said some matters could be resolved with ordinance changes. Mr. Slocum would not support a plan to change the system of the Town's governance - Town Council/Town Manager form of government.

Councilor Flynn-Harris said the Charter is well written, but should be reviewed on a regular basis. She supports the Charter revision process, and said Mr. Bowman would be a good person to serve on the committee. The Democratic Council members will also submit names for committee membership.

Chairman Oris commented on the importance of the Charter revision, assurance the Charter supports the times we are in, and efforts to make the community the best it can be. This starts with opening up the Charter. He is unaware of any radical changes to be made. Mr. Oris noted there were some concerns about the costs involved with Charter revision, \$27,000 +/-, and this is money well spent to insure the foundation of the Town is solid.

VOTE The motion passed 8-1; Ruocco opposed.

9. NEW BUSINESS

A. Approval of ordinance amendment for waiver of building fees for Non-profits.

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

BE IT RESOLVED, That the Town Council approves Resolution #091613-3

RESOLUTION #091316-3

BE IT RESOLVED, that the Town Council approves an ordinance amendment to Section 3-3 (d) and (e) as follows:

SECTION 3-3 BUILDING REGULATIONS - IMPLEMENTATION, SECTIONS 118 THROUGH 118.5 REGARDING FEES.

(copy of the ordinance amendment is attached to these minutes).

Discussion

Ms. Harris reported that the Ordinance Review Committee reviewed this matter in depth, with much information provided. This amendment is for a 501 (c) (3) that provided key services to citizens of Cheshire.

With respect to the 5,000 sq. ft. building size, Mr. Bowman explained this is based on construction code, and special inspections are required for larger buildings.

VOTE The motion passed unanimously by those present.

B. Approval of Master Municipal Agreement with the State of Connecticut Department of Transportation for Preliminary Engineering Projects.

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

BE IT RESOLVED, That the Town Council approves Resolution #091613-4

RESOLUTION #091316-4

BE IT RESOLVED, that the Town Council hereby approves the execution of a State of Connecticut Department of Transportation Agreement for Preliminary Engineering Projects, and

BE IT FURTHER RESOLVED, that Michael A. Milone, Town Manager, be and hereby is, authorized to sign the agreement entitled "Master Municipal Agreement for Preliminary Engineering Projects."

Discussion

This was discussed at the Budget Committee meeting, and Mr. Slocum explained this is the third in a series of grants, and this one is for engineering. Prior grants were for rights-of-way and construction. The grant paperwork enables things to move quickly through the program, and the agreement will be on file. The Town agrees with what the State wants done, and this is a non-negotiable item.

VOTE The motion passed unanimously by those present.

C. Approval of Town Manager's FYH 16-17 Goals and Objectives.

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

BE IT RESOLVED, That the Town Council approves Resolution #091613-5

RESOLUTION #091316-5

BE IT RESOLVED, that the Town Council approves the Town Manager's FY 16-17 Goals and Objectives as presented and attached, per the recommendation of the Personnel Committee.

Discussion

Mr. Ruocco reported the Personnel Committee met to review the goals and objectives of Town Manager Milone, and there is a sophisticated check list to accomplish during the next year. A copy of the goals and objectives is attached to the minutes.

VOTE The motion passed unanimously by those present.

D. Approval of amended agreement with BETA Group Inc. for the environment Assessment of the Chapman Property and additional allocation from the Land Acquisition Account.

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

BE IT RESOLVED, That the Town Council approves Resolution #091613-6

RESOLUTION #091316-6

BE IT RESOLVED, that the Town Council approves and amendment to the agreement with BETA Group Inc. for the environmental assessment of the Chapman Property to include additional drilling and field time, and

BE IT FURTHER RESOLVED, that the Town Council allocates an additional \$9,500 from the Land Acquisition Account for this service and agreement amendment, bringing

the total cost of said environmental assessment agreement with BETA Group Inc. to \$75,012.50.

Discussion

Mr. Slocum said there were some additional costs being engaged with regard to the Chapman property.

Chairman Oris said the increase is due to timing to do testing on the site, and has nothing to do with any problems found. It is taking longer with additional costs to insure proper due diligence to move forward with the Chapman property.

VOTE The motion passed 8-1; Ruocco opposed.

E. Approval of amended purchase agreement for Chapman Property.

Item moved to Executive Session.

F. Approval of resolution authorizing Town Council communication with Commissioner of Agriculture.

The Council members discussed the most appropriate way to author a motion regarding the Hickory Hill and Richmond Glen situation. Following Council discussion on the State statute, modification of the farmer's use of the propane cannon, the Commissioner's ability to offer alternatives, and consultation with Town Attorney Smith, the final resolution is as follows:

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

BE IT RESOLVED, that the Town Council approves Resolution #091216-8

RESOLUTION #091316-8

BE IT RESOLVED that the Town Council hereby recognizes an undue hardship to residents in and around the Richmond Glen area.

BE IT FURTHER RESOLVED, that under Connecticut General Statutes Section 22-26(g)sub-paragraph (g), the Town Council asks the Commissioner of Agriculture to cancel the right of the owner of Hickory Hill Orchards to use, or in the alternative, institute a best practice use procedure for a propane cannon as a crop protection noise maker.

Discussion on the motion

Mr. Slocum wants the motion to give Mr. Kudish opportunity to have alternatives to his problems at the farm.

The statute provides for that and Chairman Oris said the Town Council wants the resolution to abide by the statute. The Council complies with the statute and asked the DOA to come up with an alternative to this undue hardship to area residents.

Attorney Smith advised that the final decision rests with the Department of Agriculture Commissioner.

Mr. Ecke supports the resolution, noting Cheshire is a farm community and the Council has always embraced and supported its farmers.

Town Manager Milone will draft the letter to the Commissioner with undue hardship cited in the letter.

VOTE The motion passed unanimously by those present.

E. Approval of amended purchase agreement for Chapman Property.

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

MOVED that the Council enter Executive Session at 9:00 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 Ms. Nichols; seconded by Mr. Talbot.

MOVED that the Council exit Executive Session at 9:15 p.m.

VOTE The motion passed unanimously by those present.

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

BE IT RESOLVED, that the Town Council approves Resolution #091316-7

RESOLUTION #091316-7

BE IT RESOLVED, that the Town Council approves Resolution #091316-7.

BE IT RESOLVED, that the Town Council approves the First Amendment to Real Estate Purchase Agreement for the Chapman Property, to extend the Due Diligence Period to October 31, 2016 with a closing to be held within 15 days (and to respectively amend all effected sections to reflect said changes), and to include an escrow amount of \$200,000 to be established by the seller for remediating environmental matters raised in the buyer's environmental assessment, by the buyer's or the seller's agents or contractors, pursuant to all terms and conditions in the attached Agreement.

Discussion

Attorney Smith said there have been some delays with the environmental studies, and it is necessary to amend the Agreement. The primary change is the extension of the Due

Diligence Period...extension of the time period when the Town's consultant can complete the environmental cleanup. There is also an extended date to perform title search, the date for the Town's deposit to be refundable and address the uncertainty of knowing everything about the environmental condition of the property at time of referendum. The contract addresses this by establishing a \$200,000 fund to conduct environmental studies, and under the original agreement these costs would have been borne by the Town. This provision provides that under \$200,000 those costs would be subtracted from the purchase price. There is also a provision recognizing the ability of Mr. Chapman and family and workers to perform some of the work on the site with review and approval by the Town.

Mr. Slocum supports this resolution with some reservation, and is okay with the \$200,000 escrow. He understands there is incompleteness to the testing, and there are certain things outside the council's control, so the clearest picture is not presented to the voters at referendum. The voters will know the Council has an agreement which makes everything possible and in the best interest of the Town.

Mr. Ruocco cited the same concerns, and will cast the dissenting vote on the resolution.

Chairman Oris will support the resolution but understands reservations and not having everything buttoned up prior to referendum. This is a timing issue; nothing terrible has been found or being investigated; it is a matter of getting the work done in the original time frame. Changes in the contract protect the Town, taxpayers and enhance the Town's position with the \$200,000 escrow, and anything in excess provides renegotiation of the contract.

VOTE The motion passed 8-1; Ruocco opposed.

Chairman Oris commented on the Cheshire Police Department being honored at the September 10th Fall Festival. He thanked Ms. Nichols and Mr. Salimone for their work on the video and the ceremony...which were well received and well done. Chairman Oris thanked Chief Dryfe and Deputy Chief Pichnarck and Cheshire Police Officers for a job well done, for all that they do every day...and said they have the respect of the Council and the Cheshire community.

Ms. Nichols reported that the video will be on cable tv and the Town website. It should be watched with children, shown to the youth groups and service organizations.

At the Fall Festival, Ms. Flynn-Harris noted that the Cheshire Police Department was honored and received a standing ovation.

10. TOWN MANAGER'S REPORT AND COMMUNICATIONS

A. Monthly Status Report - in Council packets

B. Department Status Reports: Police, Fire, Fire Marshal.

In Council packets

C. Other Reports

Mr. Milone will e mail his report to the Council members.

11. REPORTS OF COMMITTEES OF THE COUNCIL.

A. Chairman's Report

i. Referral of consideration of the role of the Senior Center Membership Association Board of Directors to the Ordinance Review Committee.

B. Miscellaneous

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports

Councilor Linehan reported on an upcoming program -- Our Town...which focuses on opiod addiction. It is a three part series, October 5th, 19th, November 2nd and 16th. There is information on the Town website.

B. Appointments to Boards and Commissions

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

MOVED that the following appointments and reappointments be approved by the Town Council.

Cable TV Franchise Advisory Council - reappointment of Adam Grippo (R), term of office 9/13/16 to 6/30/18; reappointment of Henry Chase (R) term of office 9/13/16 to 6/30/18.

Housing Authority - appointment of Christopher Daddi (U) to fill the vacancy of Peter Bloomstrom, term of office 9/13/16 to 5/31/17.

VOTE The motion passed unanimously by those present.

13. TOWN ATTORNEY REPORT AND COMMUNICATIONS

14. COUNCIL COMMUNICATIONS

A. Letters to Council.

Letter from John Capone, Gibson Associates, Inc. was received by all Council members.

E-mail from Mr. Giza regarding chip sealing on Wallingford Road and concerns about dust and noise during the road work process.

Town Manager Milone informed the Council there are 8 signs posted as you get to the Giza property, reminders to slow down, and CPD is checking on the roads being chip sealed. The dust comes from the stones used for chip sealing.

B. Miscellaneous

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

MOVED that the Council enter Executive Session at 9:35 p.m. to include Town Manager Milone, Finance Director Jaskot, Personnel Director Zullo, CPD Chief Dryfe and Deputy Chief Pichnarck, to discuss personnel and contract issues.

VOTE The motion passed unanimously by those present.

MOTION by Mr. Talbot; seconded by Mr. Slocum

MOVED that the Council exit Executive Session at 10:35 p.m.

VOTE The motion passed unanimously by those present.

15. ADJOURNMENT

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

MOVED to adjourn the meeting at 10:35 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk