

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARINGS ON TUESDAY, FEBRUARY 11, 2014, IN COUNCIL CHAMBERS, 84 SOUTH MAIN STREET, CHESHIRE CT 06410.**

Present

David Schrumm, Vice-Chairman; Patti Flynn-Harris, Liz Linehan, Sylvia Nichols, Robert J. Oris, Thomas Ruocco, James Sima, Peter Talbot. Absent: Timothy Slocum  
Staff: Michael A. Milone, Town Manager; James Jaskot, Finance Director  
Guests: Girl Scout Troop 60152, Doolittle School; Girl Scout Troop 61069, Highland School; Girl Scout Troop 60693, Dodd Middle School; Girl Scout Junior Troop 60237, Norton School; Brownie Troop 60073, Norton School; Brownie Troop 60268, Doolittle School; Daisy Troop 61069, Highland School; Boy Scout Troop #1; Weblow Troop 198; Pack 92; and Scout Leaders.

Vice-Chairman Schrumm acknowledged the passing of Kristen Slocum, Wife of Chairman Tim Slocum.

Council Member Sylvia Nichols read a short statement in honor and in memory of Kristen Slocum.

On behalf of the Town Council and the Cheshire community, Mr. Schrumm expressed sympathy to Mr. Slocum and his family, and a moment of silence was held in honor of Mrs. Slocum.

**2. PLEDGE OF ALLEGIANCE**

The Boy Scouts and Girl Scouts presented The Colors, and the assembled group Pledged Allegiance to the Flag.

**3. PUBLIC COMMUNICATIONS**

**A. Proclamation for Scouting Recognition Day**

Mr. Schrumm read the proclamation honoring the Boy Scouts and Girl Scouts of the Town of Cheshire and announcement of Scouting Recognition Day, February 12<sup>th</sup>. Mr. Schrumm commended the Scout Leaders for their time and dedication to the young men and women in the scouting programs.

**B. Public Comments.**

Tim White, 1682 Orchard Hill Road, thanked the Council for moving forward on the town wide energy management plan financed by performance contracting. He asked where Cheshire stood relative to other towns, and what towns had a comprehensive review of buildings. According to Mr. White, Cheshire is the only town to do this review. Regarding the solar program, Mr. White reported that the participation deadline is April 8<sup>th</sup> and Cheshire has 9 contracts signed. Three meetings are scheduled for the solar program – February 19<sup>th</sup> at the Library, February 24<sup>th</sup> at the Senior Center, and March 25<sup>th</sup> at the Youth Center. There is also information on the solar program website about tours of homes within the solar program.

Jonathan Budd, 68 South Brooksvale Road, expressed appreciation to the Council for the work they do on behalf of the Town. He commented on the blight in Town with the tree trimming project through CL&P. Mr. Budd cited P.A. 13-298. He said he supports trimming trees near power lines and those that are diseased or dead, but the CL&P program is very aggressive and goes beyond this. There is a tree trimming map, and the work is taking place in older neighborhoods where foliage creates the character of the Town. Mr. Budd expressed appreciation to PW Director Noewatne who has been very helpful in managing the bureaucracy with the power company. He asked that the Council be the legislative advocate for protection for homeowners, and for town management's help to keep CL&P's feet to the fire on tree trimming. As advocates for open space and the Town's quality of life, Mr. Budd said the Council must step up to the utility company on this issue.

Town Manager Milone is aware of the concerns, has had discussions with Mr. Budd and Mr. Noewatne, and said he would pursue the matter with Cheshire's State Delegation.

Mr. Oris questioned the role of the Town Council with these concerns, short of the statutory issues. He said there must be a balance between what trees are taken down as necessary to protect the power lines, or is the utility company going beyond this.

According to Mr. Milone, the Public Works Director and his staff have been available and responsible to anyone with concerns. He stated that Mr. Noewatne understands the statute and process and is ready to call for a hearing. The utility company could get ahead of itself and be sloppy, and needs to be watched. The PW Department is carefully monitoring what they are doing. CL&P's tree warden oversees the project and Mr. Noewatne is in regular contact with him. The Council and public was informed by Mr. Milone that Engineering Technician Nolte is out there as the advance team, watches the utility company, holds their feet to the fire, and insures they meet guidelines and parameters of what Cheshire considers appropriate.

Ms. Flynn-Harris noted that this issue is getting a lot of reporting in the Hartford area, and said the local press will play an important role in letting people know there are resources to contact for concerns and problems.

Back in the 1990's there were challenges with regular power outages, and Mr. Milone said the Town must be actively involved. The CL&P Tree Warden is responsible and reasonable, and the Town will try to strike a balance to satisfy everyone.

#### **4. CONSENT CALENDAR**

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

BE IT RESOLVED, that the Town Council approves Resolution #021114-1

RESOLUTION #021114-1

BE IT RESOLVED that the Town Council approves the Consent Calendar for February 11, 2014 as follows:

- A. Acceptance and appropriation of a \$25 donation from Ray Voelker to the Parks and Recreation Gift Account for general purposes.
- B. Acceptance and appropriation of a \$50 anonymous donation to the Human Services Gift Account for residents in need.
- C. Acceptance and appropriation of a \$120 donation from Town Employees Dress Down to the Human Services Gift Account for residents in need.
- D. Acceptance and appropriation of \$45 in proceeds from the Yellow House Program to the Cheshire Fuel Bank.,
- E. Authorization to apply for a \$700 Sponsorship Grant from the Connecticut Community Foundation to fund a Senior Center Program.
- F. Acceptance and appropriation of a \$10,000 donation from Yankee Gas to the Parks Gift Account to restore damages to the Main Street Parklet and for General Parks improvements.

VOTE           The motion passed unanimously by those present.

Mr. Schrumm explained that the \$10,000 donation from Yankee Gas is for the replacement and enhancement of the parklet next to St. Peter's Church.

**5.    ITEMS REMOVED FROM THE CONSENT CALENDAR**

**6.    OLD BUSINESS**

**7.    NEW BUSINESS**

**A.    Approval of 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 #021114-2

RESOLUTION #021114-2

BE IT RESOLVED, that the Town Council approves the following amendment to the qualifying incomes and the extension of the Local Elderly Property Tax Credit Program Ordinance Section 17-6.

*A copy of the Resolution is attached to these minutes.*

VOTE The motion passed unanimously by those present.

**B. Approval of 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 #021114-3

RESOLUTION #021114-3

BE IT RESOLVED, that the Town Council approves the following amendment extending the Elderly Tax Freeze Ordinance, Section 17-15 (c):

Sect. 17-15 Elderly Tax Freeze

(c) *This Section 17-15 shall be in effect until September 30, 2015 at which time it shall be automatically repealed.*

This amendment becomes effective 21 days after publication.

VOTE The motion passed unanimously by those present.

**C. Approval of commitment to participate in the South Central Regional Water Authority's Household Hazardous Waste Collection Center.**

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

BE IT RESOLVED, that the Town Council approves Resolution #021114-4

RESOLUTION #021114-4

RESOLUTION CONFIRMING COMMITMENT AND PARTICIPATION  
IN A REGIONAL HOUSEHOLD HAZARDOUS WASTE COLLECTION CENTER

WHEREAS, The South Central Connecticut Regional Water Authority operates a regional facility for the collection of household hazardous waste and conditionally exempt small quantity generator business waste at its headquarters at 90 Sargent Drive in New Haven (the "Facility"); and

WHEREAS, certain municipalities, including the Town of Cheshire, are able to have residents drop off their household hazardous wastes at the Facility on Saturday mornings (9:00 a.m. to Noon) and conditionally exempt small quantity generators deliver business and municipal waste on Saturday morning (by appointment 7:00 a.m. to 8:30 a.m.) from spring through fall for proper processing, transportation and disposal; and

WHEREAS, The Town of Cheshire desires that its residents continue to be permitted to use the Facility,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF CHESHIRE THAT:

The Town of Cheshire (the "Town") declares its commitment to continue participation in the regional household hazardous waste collection program at the Facility for a three-year period (July 1, 2014 through June 30, 2017) and confirms its intent to contribute financially for that participation.

The Town agrees to provide the following annual financial support for its residents' use of the Facility:

1. Fixed operational costs are based on the number of 1 and 2 family housing units in the Town; and
2. Variable transportation and waste disposal costs are prorated based upon Actual use of the Facility by Town residents.

This resolution shall be effective July 1, 2014 through June 20, 2017.

#### Discussion

Mr. Oris stated that RWA conducts a hazardous collection center, and Cheshire has participated for 15 years. The Town must confirm its commitment for the next 3 years.

Mr. Ruocco noted the program allows Cheshire residents to use the facility in New Haven, but people must show identification to drop off materials.

It was pointed out by Mr. Milone that there is no dollar figure in the contract, as the amount depends on how many one and two family housing units participate, cost of transportation and use by Town residents. The average cost has been \$15,500 for the last few years, and the amount is budgeted at \$20,000 in the operating budget. The Town used to have a satellite facility at the transfer station for local hazardous waste collection. The program became too expensive for the number of people taking advantage of it, and was eliminated from the budget.

Ms. Flynn-Harris stated that Cheshire residents have unlimited access to the New Haven facility for disposal of materials.

For "Cheshire Day" at the RWA facility, Mr. Milone explained it is the day local volunteers help out at the site.

Ms. Linehan asked about disposal of pharmaceuticals at the facility.

Mr. Milone said they cannot be brought to the site for disposal. The Cheshire Police Department has a pharmaceutical drop off program with a box placed at the police station.

VOTE The motion passed unanimously by those present.

**D. Approval of bid waiver and authorization to hire BL Companies for the Design upgrade for the Cheshire High School Sports Locker Project.**

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

BE IT RESOLVED, that the Town Council approves Resolution #021114-5

RESOLUTION #021114-5

BE IT RESOLVED, that the Town Council, per the recommendation of the Public Building Commission, waives the bid for the finalization of the design and development of the bid package for the Cheshire High School Sports Locker Project, not to exceed \$5,800; and

BE IT FURTHER RESOLVED, that the Town Council authorizes BL Companies for said work.

Discussion

Mr. Sima reported that at the last Public Building Commission (PBC) meeting a motion was passed to engage BL Companies for the final design. BL did the initial design of the locker room project about 3 years ago, and it has come back to PBC for finalization, along with questions that go along with the design. The initial finalization of the documents was \$4,000, and BL Companies requested another \$1,800 to go through any revisions or process that they may have.

There is another component of the bid package where BL wanted to have enough money to follow the project through completion. PBC decided not to move that portion forward. Mr. Sima said PBC has a concern that the \$550,000 is not enough money to complete the project. The \$5,800 is get the design finished, make sure all hurdles are passed with the Building Inspector and State Fire Marshal, and then go out to bid to see if the \$550,000 is enough for the project.

Art Crooker, PBC member, informed the Council that the Commission wants BL Companies to nail down the ADA codes before the project goes out to bid. There have been conflicting reports on what can be done. PBC wants everything nailed down so everyone is in agreement that the project can be done. This is what BL Companies will do at this point in time.

Mr. Sima stated that with this motion the Council is not moving the project forward for construction, but is just finalizing the design and making sure it is ADA compliant.

Ms. Flynn-Harris asked if this is just the design of the ramp.

According to Mr. Crooker, it is not just the ramp. There are issues with the back doors. There are conflicting reports from the architect and others...that if they make an ADA accessible area, they cannot use the doors in the back. There are other doors in the back of the locker room which students use to come in and out, and there are conflicts on whether these doors can be used or not. Even with a ramp it must meet ADA code. What PBC wants to do before going out to bid is to have everything nailed down with everyone in agreement on what to do. And, PBC does not want another \$20,000 to \$30,000 added to the project.

Ms. Flynn-Harris asked about inclusion of the access points, the ramp, overhang of the ramp, if the ramp needs to be covered, and all issues with the ramp.

In response, Mr. Crooker said "yes" the ramp is included. The PBC does not want to have a big bill come in regarding the ramp.

Ms. Flynn-Harris stated the money for the ramp is a waste, and she will not support the resolution.

Stating that something needs to be done with the locker room situation, Mr. Talbot said this is going on for a long time. The project must be done right; this is not the correct way to go about this project; and he will vote against the resolution, as much as he would like to know the ultimate number. By knowing this number, it helps our case. Mr. Talbot cannot support trying to retrofit this locker room when it is something unacceptable for our high school student athletes to use.

Mr. Oris said he will not support the motion, as he cannot support anything that advances a project which is not in the best interests of use of taxpayer dollars. We are trying to renovate a facility that is very old; it does not meet the current curriculum for the number of students using it; no additional square footage is being added with this money; and the huge question is whether the project can be done with the money applied to the project. Mr. Oris agrees with other Councilors that it would be nice to know this number, but he does not believe any money spent on this locker room is prudent. Mr. Oris stated the Town Council should be looking at a long term solution, solve other issues, ADA compliance issues not being solved now, and what is proposed is a short term band-aid approach to a situation requiring a longer term view. He will not get behind anything putting tax dollars into the existing facility.

Ms. Linehan agreed with the comments made by other Councilors. In her campaign for Council, she promised to make sure projects are done right the first time, and not to continually add funds for something which should have been done right the first time. She intends to keep this promise.

The resolution will be supported by Mr. Schrumm, who stated that this facility has been used as a locker room for 50 years. The money will permit extra space; it is not perfect; but is the best solution we have. He said the Board of Education (BOE) came up with this project 2 years ago and wanted it to go out to bid. The BOE was satisfied with it, but it was delayed, and now BOE wants the project done. The locker rooms need an upgrade and the money is needed for the final numbers.

It was noted by Ms. Flynn-Harris that the vote would be 4-4, and 5 votes are needed to go forward.

Mr. Schrumm stated this was correct, and that this project would have to come back to the Council for a final bid. If the motion fails 4-4 it can always come back, pass 5-4, but this delays the project, time is lost, and issues are not resolved.

Ms. Flynn-Harris believes recent PBC minutes state that BL companies has stated they did not think the project could be started next year due to asbestos abatement. BL said money would be needed for this, and the money being requested now does not look into asbestos abatement.

The Council was told by Mr. Crooker that money for asbestos abatement is not being asked for now, and it is unknown how much asbestos is in the locker rooms. He said if there is asbestos in the basement, it would have to be removed before the project can start. The abatement could be done during April vacation with the project started this summer, and some of the project could be done while school is in session.

At the last sub-committee meeting with BL Companies, Mr. Oris said he got the sense there is little chance the project can happen this summer for a variety of reasons. Some were the environmental and asbestos issues, getting the bid process out and getting everything lined up. Mr. Oris has a problem with being pressured into doing the project now, or don't hold anyone accountable for not doing it this summer when it is not a good project. He said this facility does not accommodate the number of students using it. The project could include cleaning up the lockers, painting the walls, putting in new toilets, etc. but there are 100+ kids in the facility at one time with uniforms, and we are not adding one square foot to the space. They are crammed, do not fit into the space, and Mr. Oris believes this is a health risk as well as a fire risk. He does not like being forced into something he does not believe is a good project because a two week delay will cause a kick-back on him. At the end of the day, this project makes no sense to him for taxpayer dollars. Mr. Oris said the Council should be looking longer term, solving the problem correctly, putting a facility out there the Town can be proud of, one that meets the basic needs of the student athletes. This facility does not meet the basic needs of the students. If it was good 50 years ago, it does not mean it is good today, and there are many more kids using it. He will fight for the kids to get a better facility than the facility they are in at this time. Mr. Oris believes taxpayers deserve better than this, and he will not support the motion.

Mr. Ruocco said the only alternative he has heard was expenditures for a field house type project that will cost \$1 million to \$1.5 million, and this will not pass at referendum

because the public will not support it. He stated the proposed locker room project is the only option.

The issues for the project were clarified by Mr. Crooker who stated ADA compliance is an issue, and we do not want to go forward with this project until this is buttoned down. The PBC recommendation is to clarify the issues. It is then up to the Council to decide what to do with the project. The high school is an emergency center, and the project will add extra showers for this use.

Ms. Linehan read an excerpt from the memorandum into the record. It states BL Companies was hired in 2011 to perform design work for the locker room improvements, completed the design in December 2011, and the project was transferred to the PBC. Now, the Council is being asked for \$5,800 more for BL to submit the project somewhere when it completed the design in 2011. She asked if this money is from the design completed in 2011.

It was stated by Mr. Crooker that BL did not complete the design in 2011.

Mr. Schrumm explained that this project came from the BOE; the BOE hired BL Companies which does work for the Town; and in February 2012 the BOE came to the Council to get the work done that summer. At this point, before going out to bid, there must be a design, bid specs, etc.

Stating she understands that, Ms. Linehan is hearing that the Town wants information as to whether or not the project is ADA compliant. If we want to know what the red flags are, she questions why we need to finalize the design to send something to say what is needed to be ADA compliant.

There are many agencies involved in the process, and Mr. Crooker stated we want to prevent problems and more expenditures. BL will have agencies sign off on the way they want the ADA issues handled.

Two years ago this same step would have been taken, and Mr. Schrumm said BL would have been called in to resolve lingering issues. The only difference is that the cost would have come out of the BOE budget not the PBC budget.

Mr. Sima gave more history on the project, reporting that \$500,000 was appropriated for the locker room project in 2011 when the turf field was started. The locker room design was done in late spring or early summer, and the football field was completed in late fall. In February 2012 the Council's Planning Committee learned about the ramp outside and possibility of an elevator for the locker room facility. BL was not sure the project could fit into the \$500,000 budget, and thought it would go to \$525,000 to \$550,000. There were many questions raised by the Council about how the kids would use the ramp to go outside. The next summer another \$50,000 was approved in the capital budget, and the total project funding was \$550,000.

It was stated by Mr. Sima that many people think there should be a field house, elevator to the press box, a grandiose stadium, etc. Now, one of the issues is the ADA requirement for the ramp, is it wide enough, what to do with the doors to the existing stairwell. Building inspectors and the State Fire Marshall are replying, but there are no concise answers. PBC is asking to go through, spend the \$4,000 to finalize any changes that have come up under the new building code, and there is another \$1,800, for a total of \$5,800. Mr. Sima said there is no redesigning or changing anything, but to make sure the design meets the new code.

Mr. Crooker said this is where we are, and the project can go be accepted, and go out to bid.

Some important issues have been raised, and Mr. Oris commented on Mr. Sima stating a grandiose plan for the field as a result of the new turf. Mr. Oris said the facts are that the Town is non-compliant with certain ADA issues on the field. The PBC did an analysis that showed, over time, that there must be projects such as handicapped accessibility to the press box, decent and handicapped accessible bathrooms and concession stand, accessible walkways to the stadium. The idea of a grandiose plan that is not needed is incorrect, and the Town must get the best value for its dollars. The PBC analysis suggested doing all the work together, there could be a facility down by the field, put all the compliance issues together, and do this project for \$1.5 million to \$2 million. However, taking the projects which have been proposed on a piece meal basis, it equals the same amount of money or more. The locker room facility is at least \$525,000; the bathrooms have an allocation of \$350,000 which may not be enough; and this does not even touch the other issues Mr. Oris has raised. When PBC took that analysis, they suggested the totality of those items at \$1.7 million to \$2 million.

Looking long term, Mr. Oris said there is not much difference on how much taxpayer dollars are being spent. But, in the end, a field house facility is a much better bang for the buck. It is a much nicer facility to be proud of rather than continuing to band-aid everything along the way, kick the can down the road, and end up with 2<sup>nd</sup> rate facilities that cost the same without the quality we deserve. The facts are in the reports. The facilities are not ADA compliant, and these issues must be addressed. Mr. Oris said this is why we must do things in a fiscally prudent and responsible way, and putting money into the locker rooms as they sit there today is not fiscally prudent.

Regarding the extra \$50,000 from the capital budget, Mr. Talbot said this did not go out to the voters. He questions Mr. Ruocco's crystal ball prediction on the votes of taxpayers when it comes to capital projects. The voters approved \$3.2 million for a permanent structure over the community pool. With Mr. Oris' explanation on how the money is being spent now, and how it should be spent to take care of all the locker room and field issues, Mr. Talbot believes the crystal ball outcome would be different.

Mr. Schrumm said there is \$350,000 for the bathroom repairs, concession stand and walkways at the field, and this work could be done this summer.

VOTE           The vote on the motion was 4 in favor (Schrumm, Ruocco, Nichols, Sima)  
                  Opposed – Flynn-Harris, Linehan, Oris, Talbot.  
                  The motion failed to pass with a vote of 4-4.

**E.     Approval of award of contracts for Districtwide Flooring Replacement Project.**

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

BE IT RESOLVED, that the Town Council approves Resolution #021114-6

**RESOLUTION #021114-6**

BE IT RESOLVED, that the Town Council approves the award of the Districtwide Flooring Replacement Project, per the recommendations of the Public Building Commission, and authorizes the execution of contracts with Chemscope for \$20,080, with AAIS Corp. for \$92,985, and Spectrum Floors for \$136,405.

**Discussion**

Mr. Sima stated that it is hoped the flooring project will be completed, but with asbestos and gluing under the flooring, the costs increased by \$100,000. The BOE will prioritize all the classrooms, and some smaller areas will not be touched. This is the 4<sup>th</sup> allocation for the flooring projects.

VOTE           The motion passed unanimously by those present.

**F.     Authorization for the Public Building Commission to go to bid on the Districtwide Chimney Replacement and Repairs project for Darcey, Doolittle and Norton Schools.**

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

BE IT RESOLVED, that the Town Council approves Resolution #021114-7

**RESOLUTION #021114-7**

BE IT RESOLVED, that the Town Council hereby authorizes the Public Building Commission to go to bid on the Districtwide Chimney Replacement and Repairs project for Darcey, Doolittle and Norton Schools.

**Discussion**

This is a continuation of the work started last year on the chimneys and Mr. Sima reported that the high school and middle school required major repairs. The Town engaged Jacques Contractors. The projects will be started and completed, and money left over will be used for sidewalks.

VOTE           The motion passed unanimously by those present.

**G.     Authorization to execute the Local Bridge Program Supplemental Application and agreements for the Blacks Road Bridge Project.**

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

BE IT RESOLVED, that the Town Council approves Resolution #021114-8

RESOLUTION #021114-8

BE IT RESOLVED, that Michael A. Milone, Town Manager of the Town of Cheshire is authorized to sign the LOCAL BRIDGE PROGRAM SUPPLEMENTAL APPLICATION and any associated agreements between the State of Connecticut and the Town of Cheshire under the Local Bridge Program for Blacks Road over Honey Pot Brook, Bridge No. 025018,

Discussion

Mr. Ruocco stated that \$850,000 was approved at referendum to repair the Blacks Road Bridge, with a grant approved for 31.25% of the costs. The resolution is for authorization for Mr. Milone to sign the application to accept the funding.

The Council was told by Mr. Milone that it is hoped the project will be completed by November 2013.

VOTE           The motion passed unanimously by those present.

**H.     Appointment of Subregistrars**

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

BE IT RESOLVED, that the Town Council approves Resolution #021114-9

RESOLUTION #021114-9

BE IT RESOLVED, That the Town Council hereby appoints Daniel J. Ford and John W. Ford as Subregistrars of Vital Statistics for the term January 16, 2014 through January 4, 2016.

VOTE           The motion passed unanimously by those present.

**I.     Appointment of Clerk of the Council.**

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

BE IT RESOLVED, that the Town Council approves Resolution #021114-10

RESOLUTION #021114-10

BE IT RESOLVED, That in accordance with Section 3-4 of the Town Charter, the Town Council hereby retains Marilyn Milton as Clerk of the Council at the rate of \$45.00 per hour for attendance at meetings, \$50.00 per hour for meeting attendance after 11:00 p.m., \$12.00 per page of minutes typed, and \$25.00 per hour for miscellaneous clerical work performed for the Town Council, per the recommendation of the Town Council Personnel Committee, effective March 1, 2014 through February 28, 2016.

Discussion

Mr. Ruocco explained that the contract for the Clerk of the Council is a two year contract, and there are no changes in the rates for the new contract. He said the contract is well deserved and Ms. Milton does good work for the Council.

VOTE           The motion passed unanimously by those present.

**J.     Call for Public Hearing for the FY 2014-2015 General Operating Budget, Water Pollution Control Department Fund Operating Budget, and Community Pool Fund Operating Budget.**

MOTION by Mr. Ruocco; seconded by Ms. Nichols

BE IT RESOLVED, that the Town Council approves Resolution #021114-11

RESOLUTION #021114-11

BE IT RESOLVED, That the Town Council shall hold a public hearing at 7:30 p.m. on Tuesday, April 1, 2014, in Council Chambers, Town Hall, 84 South Main Street, Cheshire Connecticut, to consider the proposed General Fund Operating Budget for Fiscal Year 2014-2015, the proposed Water Pollution Control Department Fund Operating Budget for Fiscal Year 2014-2015, and the Community Pool Fund Operating Budget for Fiscal Year 2014-2015.

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

VOTE           The motion passed unanimously by those present.

**8.     TOWN MANAGER'S REPORT AND COMMUNICATIONS.**

**A.     Monthly Status Report.**

**B.     Department Status Reports.**

**C. Other**

Monthly Financial Report – Mr. Milone reported that the expenditure side of the budget is tight, with snow storms and use of tremendous amounts of salt affecting the budget. There is enough salt left for 2 or 3 major snow storms, and more salt will be needed if there are more storms. There is a shortage of salt throughout the State, and use of salt will have to be limited. The \$285,000 snow and ice budget has been spent. The revenue side of the budget is okay, and Mr. Milone noted that the Town Charter does not permit over spending. It is expected the pool budget will end the year with a \$60,000 shortfall. The business interruption insurance claim of \$44,000 has been settled. WPCA budget will have a modest surplus of \$50,000 to \$120,000.

FY 2015 Budget Development and Meeting Schedule – the budget must be submitted to the Council by March 10<sup>th</sup>, and should be ready by March 7<sup>th</sup> or 8<sup>th</sup>. The budget workshop schedule is as follows: March 12<sup>th</sup>; March 13<sup>th</sup>; March 18<sup>th</sup>; March 20<sup>th</sup>; March 24<sup>th</sup>; March 25<sup>th</sup>; Public Hearing on April 1<sup>st</sup>; Budget Review on April 2<sup>nd</sup> and 3<sup>rd</sup>; Final Budget Review on April 7<sup>th</sup>; and Town Council Adoption of the Budget on April 8<sup>th</sup>.

21<sup>st</sup> Safest Cities Award – The Town of Cheshire has achieved the ranking of 21<sup>st</sup> Safest City in America from Neighborhood Scout. The award honors the accomplishments of the police force and a community bonded in prideful citizenship. Mr. Milone informed the Council that Neighborhood Scout is a national relocation company which does relocation, and the organization looks at quality of life issues and cities where people may relocate. In the award from Money Magazine, a sense of community was also cited for Cheshire and is a strong component of the ratings.

Linear Trail Project, Department of Transportation – There was a meeting with the DOT relative to the Trail from Cornwall Avenue to the Southington town line. DOT engineers put together a map showing the three sections, all the options that have been examined, including the Cornwall to West Main stretch and Jarvis Street to the Southington Town line. Mr. Milone believes it is important for the Council to see this presentation, and the DOT engineer will do a presentation to the Council. The meeting could be held on February 25, 2014, in executive session, as there is confidential information which cannot be disclosed to the public. In the presentation there is use of all the GIS resources, giving a good sense of what is happening, how it is happening, problems which have been run into, timelines, obstacles, and what the models will look like.

Performance Contract Energy Initiative – The Town is now finalizing the contract, and until it is approved by the Council the 90 day clock is not ticking.

Audio Visual Upgrade Council Chambers' Town of Cheshire Connecticut Facebook Page: at [www.facebook.com/townofcheshire](http://www.facebook.com/townofcheshire); the facebook logo on the webpage is [www.cheshiredirect.org](http://www.cheshiredirect.org) – Mr. Milone explained that the bugs have been resolved; and there can be recorded Council and PZC meetings televised with a schedule posted for the public. There is now access to the carousel, which is the bulletin board for posting everything on the television network. There will be meetings from the last few weeks

televised for the public. The system has amplified listening devices for the hearing impaired people who attend meetings. There will be a new cd recorder for the clerk's desk. Mr. Milone commended Ms. Talbot and the committee for their work on the upgrade. Cheshire went live with facebook today; offices have gone to a virtual desktop environment; tax payments are posted to the web site.

Chamber of Commerce Business After Hours – The Town of Cheshire will host the business after hours event sometime in April, at 5 p.m. either in Council Chambers or courtyard. This is a great way to establish and connect lines of communication with the business community.

Bulky Waste Collection – Meetings have been held with PW Director Noewatne, Town Engineer Gancarz, Mr. Milone and the Solid Waste Committee, advancing the desire of the Town Council to come up with an affordable way to do the bulky waste program.

Legislative Package/Council Testimony – Mr. Milone reported on a good meeting with CCM. He cited the importance to have a Cheshire presence in Hartford, and Mr. Milone and Mr. Jaskot cover the financial issues. He asked Councilors to testify on the many issues of concern to Cheshire, and noted it is rare for the legislators to hear from local legislators. If Councilors are available and willing, Mr. Milone and Town staff will do most of the drafting and framing of the arguments on the items of concern. He will share hearing dates with Councilors.

CL&P Tree Trimming – This issue was discussed earlier in the meeting.

Road Repavement Schedule – the schedule is being worked through and merged with the GIS system and pavement management system, and will be ready for the Council at the March meeting. \$1.750 million was approved at referendum for the road projects.

Town Hall Closings – Wednesday, February 12, 2014, Lincoln's Birthday, and Monday, February 17, 2014, Presidents Day.

Regarding the DOT presentation to the Council, the Council decided that the date would be February 25, 2014, at 7:30 p.m. in Room 207.

#### Questions and Comments

Mr. Sima asked that the road repavement schedule be ready for the March 2014 Planning Committee meeting.

This will be discussed with Mr. Noewatne and Mr. Gancarz, and Mr. Milone will find out how quickly the schedule can be put together for the Planning Committee meeting.

Regarding the audio-visual work, Mr. Sima commented on the PZC receiving a presentation on the mall project, without the cameras running for this part of the PZC meeting.

Mr. Milone explained that this is a continuation of a PZC policy from 12 to 15 years ago to have only the public hearing portion of their meetings televised. He talked to Town Planner Voelker about this, and the need to engage, communicate, and provide information to the public. Mr. Voelker has no objection to televising the special or regular PZC meetings.

Ms. Flynn-Harris advised that many years ago the PZC voted and decided to only have the public hearing portion of their meetings televised. This action took place after the Council began to televise meetings. It was a specific vote that happened before Ms. Flynn-Harris was chair of the PZC and has continued ever since. She explained that the W. S. Development application was a site plan, public hearings had been held and closed on the application, and the site plan application did not require a public hearing. They are having the master plan altered, and televising the meetings would require a vote of the Commission.

Mr. Sima questioned each board, commission or committee making a decision on whether to air their meetings to the public, and if this was part of the Charter for them to make this decision. All the money spent on the audio visual system leads to more open government. There are few people attending PZC meetings, and with the ability to televise the town government meetings, it should be done as much as possible.

Stating his agreement with Mr. Sima's comments, Mr. Milone said he supports transparency, and the more people see publicly, the less suspicion there will be as there is nothing to hide. The airing of PZC meetings is supported by Town Planner Voelker, and he must convince the PZC that airing regular and special meetings is the way to go. The issue will be followed up by Mr. Milone and Mr. Voelker.

Ms. Flynn-Harris stated there is no ordinance for airing public meetings on television.

This matter should be brought to the PZC and Mr. Schrumm stated it would be helpful for the public to be aware of the work of the town governments boards and commissions.

Regarding the snow and ice removal, Mr. Schrumm asked about using sand, and asked how much is on hand.

There is enough sand and Mr. Milone said it will be used, if necessary.

Mr. Sima noted that last year the PW Department hauled large amounts of sand to the garage.

## **9. TOWN ATTORNEY REPORT AND COMMUNICATIONS**

## **10. REPORTS OF COMMITTEES OF THE COUNCIL**

### **A. Chairman's Report.**

Planning Committee – Mr. Sima reported the committee would meet to discuss the Friends of Boulder Knoll expansion, and road projects.

Budget Committee – Mr. Schrumm reported the workshop schedule has been posted.

Solid Waste Committee – Mr. Oris reported that the committee is making advancement on the bulky waste collection; is negotiating with a private contractor to bring the collection back to the community; and the matter will come before the Council for approval. There will be more information at the March meeting.

**B. Miscellaneous**

**11. APPROVAL OF MINUTES – Regular Meeting of January 14, 2014; Special Meetings of January 28, 2014 and February 4, 2014.**

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

MOVED that the Town Council approves the minutes of the Regular Meeting of January 14, 2014, Special Meetings of January 28, 2014 and February 4, 2014, subject to corrections, additions, deletions.

Correction: January 28, 2014; Town Attorney Appointment agenda item should read “deferred” not tabled.

VOTE The motion passed unanimously by those present.

**12. MISCELLANEOUS AND APPOINTMENTS**

**A. Liaison Reports**

**Public Building Commission** – Mr. Sima reported the commission is working on the pool project; this project will not be completed until the end of summer; and completion is expected in the Fall of 2014.

**Water Pollution Control Authority** – Mr. Schrumm reported on the concerns about pcbs in the caulking around the treatment plant windows.

**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.

**Building Code Board of Appeals** – reappointment of James Doheny, (D), term of office 2/11/14 to 1/31/18.

**Economic Development Commission** – appointment of Lori Ann Rusnack (R), to fill the vacancy of Robert Formica, term of office 2/11/14 to 1/31/16.

**Historic District Commission** – reappointment of Joseph Doolittle (D), term of office 2/11/14 to 1/31/19; appointment of Breina Schain (D) alternate, to fill the vacancy of Joe Dattilo, term of office 2/11/14 to 1/31/17.

**Human Services Committee** – appointment of Kristen Selleck (D), to fill the vacancy of Victoria Canale, term of office 2/11/14 to 1/31/17.

**Library Board** – reappointment of Carol DiPeitro (D), term of office 2/11/14 to 1/31/18.

**Parks & Recreation Commission** – reappointment of Paul Fracasse (D), term of office 2/11/14 to 1/31/18; appointment of Dan Nowak (D), to fill the vacancy of Ira Kushner, term of office 2/11/14 to 1/31/17; reappointment of Karen Bertoni (R), term of office 2/11/14 to 1/31/18.

**Prison Advisory Committee** – reappointment of Melissa Flynn (D), term of office 2/11/14 to 1/31/16.

**Public Building Commission** – reappointment of James McKenney (D), term of office 2/11/14 to 1/31/18.

**Performing & Fine Arts Committee** – reappointment of Maricele Riemann (D), term of office 2/11/14 to 1/31/17; reappointment of Jackie Townes (D), term of office 2/11/14 to 1/31/17; reappointment of Denise Lohr (D), term of office 2/11/14 to 1/31/17; appointment of Ann Marie Hearn (D), to fill the vacancy of Nancy Bussman, term of office 2/11/14 to 1/31/17.

**Youth Services Committee** – appointment of Lauren Korman (D), to fill the vacancy of Jean Garner, term of office 2/11/14 to 1/31/16.

VOTE            The motion passed unanimously by those present.

**13. COUNCIL COMMUNICATIONS**

**A. Letters to Council.**

**B. Miscellaneous**

**14. EXECUTIVE SESSION**

**A. Pending Claims and Litigation**

**15. ADJOURNMENT**

MOTION by Mr. Ruocco; seconded by Mr. Oris.

MOVED to adjourn the Town Council meeting at 9:30 p.m.

VOTE        The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk