

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON TUESDAY,
JANUARY 9, 2018 AT 7:00 P.M. IN COUNCIL CHAMBERS, 84 SOUTH MAIN
STREET, CHESHIRE CT 06410**

Present

Chairman Robert J. Oris, Jr.; Vice-Chairman Paul A. Bowman; Council Members Jeffrey Falk, Patti Flynn-Harris, Sylvia Nichols, Thomas Ruocco, Timothy Slocum, Peter Talbot, David Veleber.

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

Guests: Eric Nelson, 2017 Employee of the Year

State Legislators: Rep. Craig Fishbein; Rep. Liz Linehan; Rep. Lezley Zupkus; Sen. Joseph Markley; Sen. Lou Suzio.

3. ITEMS FOR EXECUTIVE SESSION

A. Personnel Matters

B. Negotiations, pending claims and litigation

Chairman Oris moved executive session to the end of the meeting.

4. PUBLIC COMMUNICATIONS

**A. Recognition of 2017 Connie Wallace Employee of the Year Recipient
Eric Nelson.**

Chairman Oris presented Eric Nelson with a Certificate of Recognition in honor of his award as Employee of the Year. Mr. Oris commented on this being a well deserved honor for Mr. Nelson, who is an exemplary employee of 27+ years. He is an important person at Town Hall, is always helpful, kind, considerate, smiling all the time, and welcoming to the staff, public, officials and everyone who enters the building. This is a significant award as it is received from Mr. Nelson's peers in town government.

Mr. Nelson thanked the Council for the recognition and his fellow employees in Town Hall for the honor.

**B. Recognition of Connecticut Veterans Hall of Fame 2017 inductees
Alfred Adinolfi and Lawrence Herrmann.**

Chairman Oris advised that Mr. Adinolfi and Mr. Herrmann were unable to attend the Council meeting to personally receive their recognition for induction into the Connecticut Veterans Hall of Fame 2017. Mr. Oris read the recognitions into the record. He said this recognition is given to veterans for their military service to our country, their post military service, and community service. In his comments, Mr. Oris highlighted the military, post military and community service of Mr. Adinolfi and Mr. Herrmann. He

noted they are two impressive individuals who are most deserving of this great award and hometown recognition.

C. Legislative Delegation

Chairman Oris welcomed the Cheshire legislative delegation - Rep. Craig Fishbein; Rep. Liz Linehan; Rep. Lezley Zupkus; Sen. Joseph Markley; Sen. Lou Suzio.

Town Manager Milone thanked the legislators for all their hard work on the State budget and continued support of the Cheshire Community. He reviewed the Town's Legislative Package for consideration by the Legislators.

Prevailing Wage – the threshold for construction was increased to \$1M, and the Town strongly and consistently advocates for an increase in the renovation projects from \$100,000 to \$400,000.

Binding Arbitration – the request is for the conclusion of binding arbitration cases within a six-month time frame after a labor contract expires. Mr. Milone cited the Cheshire Police Department case going on for 11 months and settled 23 months after expiration in June 2012; and the Secretary's contract is still in arbitration for 12 months. This is very costly for the Town.

Ms. Zupkus stated she is already proposing legislation on items 1 and 2, and Rep. Fishbein has signed on along with other legislators.

Tax Exemption on Manufacturing Machinery, Equipment and Commercial Motor Vehicles – The State provides a tax exemption for these categories of personal property for eligible companies since 2016. With the large distributor in Cheshire, Bozzuto's, the Town has lost \$450,000 in tax revenue because commercial fleets became exempt. Mr. Milone said this part of the exemption (rolling stock) should be revisited and reevaluated.

Elderly/Disabled Tax Relief Program (Circuit Breaker) – The Town of Cheshire has a generous program built on the State program, which is no longer funded, but still mandated. Mr. Milone stated some restoration of this PILOT should be considered. The tax revenue loss to Cheshire represents about \$775,000. The Town's program alone has a cost of \$575,000.

STEAP Grant – This grant has done much good for Cheshire and other municipalities which qualify. Without this grant the Town could not have done the West Main Streetscape project. \$500,000 grant was received for the sidewalk project and \$1M for the streetscape project. This is one of the most valuable grants for communities undergoing economic development and it helps leveraging projects.

Renters Rebate Program – This program has been downsized and modified, with the Town sharing the cost of the program. In Cheshire the program is about \$64,000; the

Town must pay one-half, \$32,000; and next year there is no reimbursement. The Town will lose another \$32,000. Mr. Milone noted the municipalities are paying for this program, with the State still taking full credit.

Fees for Reproduction of Electronic Files – Under FOI the Town cannot charge for reproduction of electronic files. Mr. Milone referred to a memo from Deputy Police Chief Pichnarcik which detailed the CPD costs of lost department man hours in following FOI laws to reproduce files. The Town would be looking for some financial relief, but Mr. Milone said it is uncertain what a reasonable fee would be.

Rep. Linehan asked for more information from the Police Chief on what would be reasonable fees for reproduction of files.

Rep. Fishbein said he has worked with Tom Hennick on this issue, and he believes a fee structure was put in place for recordings of hearings.

With regard to other requested changes, Rep. Fishbein favors local control. He has a problem with the State saying the towns must have a program, but it is not funded. It would be his preference for the town legislative body to determine whether or not to have a program and absorb the costs. For #4, Elderly Program, Mr. Fishbein asked if this is a program the town has to have...or did the town opt into this program.

In response, Mr. Milone said Cheshire opted into this program. The statute allows the town to supplement the State program and build off of it. Cheshire built a credit program, followed by a tax freeze program. The statute gave the authority to expand the State program, and still gives this authority. The State no longer pays the PILOT for the State portion of the elderly credit.

CCM 2018 State Legislative Program – Mr. Milone referred to the information from CCM, particularly items B and C (under Labor Relations), read them into the record, and noted these are dramatic changes from the way business is done. Under G, if an arbitration award is rejected by the local government, it must be reviewed by a second arbitration panel, and the process must start again...it does not come back to the municipality.

Sen. Markley asked about the renters rebate as a State mandated program.

This is a State mandated program and Mr. Milone said it is part of the elderly relief programs.

Rep. Linehan said it may be a benefit to make the elderly programs non-mandated, but Cheshire would consider continuing these programs. Non-mandated does not help Cheshire, which needs reimbursement.

Rep. Fishbein stated that Hartford is pulling the rug out from municipalities. The elderly program is not asset based, as people could have millions of dollars in the bank, and

still receive program benefits with a lower income. He questioned why taxpayers should be paying for these programs. Currently, the State does not have the ability to parse out assets of individuals. There could be a hybrid; other programs are being looked at now, i.e. Medicare reimbursement program by D.S.S. He said there could be people on these programs that should not be on them.

It was stated by Councilor Ruocco that in some ways it makes sense to reduce funding to towns. He wants to impress upon legislators to no longer support non-funded mandates. In 2018 local property taxes are no longer deductible under the new tax plan, and Mr. Ruocco said maybe these taxes should be a deduction on the State tax returns. There are ways to react. Mr. Ruocco thanked the legislators for their time and service.

According to Rep. Linehan there is need for an overhaul of how the property tax system works, due to over reliance on property taxes. She would prefer continuing to fund municipalities for programs and economic development. The State is bonding its way into a giant hole; funds should be freed up; corporate welfare should be stopped; and businesses should be kept in the State.

Mr. Ruocco differs from Ms. Linehan's statement, and said the problems are on the spending side in all levels of government. There are too many obligations imposed on citizens due to the way government is run.

Councilor Bowman commented on a fiscal crisis in growing proportions, and ways needed to mitigate this. Unfunded mandates are the big problem when you look at the costs to municipalities for unfunded State mandates. He cited one example of a State mandate to municipalities - storm water catch basin maintenance – and the labor component, large equipment needed, etc. when the State does not clean its catch basins on State roads. These mandates make no sense and are a burden to municipalities. Mr. Bowman said it is time to dial back some of the mandates. Connecticut is not a business friendly State, and Mr. Bowman cited the long process and time to bring a private project to completion. This is why there is no economic growth in the State; we are not competitive; and we must look at how the State does business as regulations and oversight are burdensome.

Mr. Bowman talked about the importance of investing in our youth and find ways to keep them in the State. He noted universities and putting out bright individuals who are moving to other areas of the country.

Councilor Slocum asked if the legislators are tempted to come up with creative ways to save money and help municipalities. He asked about regionalization and the reading of this in the legislative body, as he sees it as a rescue plan for the cities.

The Council was informed by Sen. Suzio that CCM did a study and found there are 1,100 unfunded State mandates imposed on Connecticut municipalities. He said this is

outrageous, and there must be a review and determination to repealing some of these mandates. It should be a high priority for the next Governor as these mandates affect local government and are very costly. Deregulation is another area which the Governor should take leadership and it should be a high priority. Sen. Suzio agreed there is too much regulatory red tape for businesses and development in the State. He knows many business men who come to him with frustration with the process for expansion projects through State and municipal offices. Sen. Suzio noted that Connecticut's rescue must be based on economic recovery and growth, which will go a long way in addressing spending issues and the deficit. For the last budget, Sen. Suzio said he voted against it; the State should not be bailing out bankrupt cities; and Hartford would have been better going into bankruptcy without \$40M from the State.

Sen. Suzio commented on personally knowing Mr. Adinolfi and Mr. Herrmann and their outstanding military service, post military service, and community service.

With regard to regionalization, Rep. Fishbein said it has not been heard about since last year. It is good for purchase of supplies, equipment, etc. but he opposes regionalization of services. Rep. Fishbein talked about the amazing number of mandates, dealing with them, and asked for Cheshire to present those mandates for consideration by the legislators. He noted that in the last budget DEEP must rule on applications within 90 days, and is more business friendly.

Rep. Linehan agreed that young people need to be kept in the State. For any company coming to Connecticut, there is no money that can be bonded to bring or keep them here. The regulatory process must be eased up, and this is a high priority for her. She talked about young people educated in the State, wanting to keep them here, and their wanting urban centers more than suburban areas. There is a need to make Connecticut more interesting for young people to stay here...start working towards tuition free high education to stay competitive, make cities more attractive and vibrant for young people.

With regard to the property the State owns, Mr. Slocum asked if there is an inventory of this property, i.e. the closed insurance buildings the State buys and gets off the tax rolls. He thinks the legislative body should want to know what it owns and what has been taken off the tax rolls.

This inventory was done as part of the Democratic budget and Ms. Linehan said there were recommendations of buildings to be sold or given back to municipalities. She cited Southbury Training School as an example of such property. This is a topic of conversation for the Democratic caucus.

Rep. Zupkus noted the XL Center, which is getting \$40M, and said this is throwing good money after bad money. She does not support this expenditure.

According to Rep. Fishbein the XL Center is in disrepair, and the intent is to sell it. It is not worth \$40M, and it was pointed out it is “up to \$40M”...and he has since looked to taking this money for other things with much resistance.

For the XL Center and Hartford, Chairman Oris said there is need for a vibrant downtown, economy and State...and this is not happening. The City of Hartford is broken and needs to be fixed before putting \$40M into the XL Center.

Councilor Falk agrees with keeping young people in town, and he wants opportunities for them to stay here if they work hard...and he hopes this can happen. Mr. Falk did research on the renters rebate program, and noted two types of money going to housing...subsidized and fair market housing, under some income guidelines. Mr. Falk suggested the legislators look at the housing issues.

There is a concern about lack of affordable housing in the State and Ms. Linehan said this should be looked at by the legislators. There are ways to save money without hurting people.

Mr. Falk said there should be redistribution of rebates rather than taking dollars away. Cheshire is at 4% affordable housing and should be at 10%.

Sen. Suzio read an excerpt of the rebate plan into the record, and said it is related to income and payment for rent and utilities. He will review the plan and get the mechanics of the program, and said it might be flexible and not as rigid as people think.

Chairman Oris expressed appreciation from the Cheshire community to the State Legislators for their work on behalf of the town. Mr. Oris is not optimistic that all the things requested in the legislative packet will be done. He stated Cheshire needs to control its own destiny, which the State is not allowing the town to do. The town's grand list needs to grow, programs need to be advanced, and the State regulatory process is the real problem. He noted Cheshire does things well while the State does not do things well. The reality is that our legislators have good ideas, are good people, but collectively the legislators talk the talk and do not walk the walk collectively. There is a problem due to partisan politics, and somehow, some way, partisan politics should be put aside. Mr. Oris cited the Cheshire Town Council which does a good job, regardless of political affiliation, putting the community first, and legislators need to find out how to do the same, and collectively. He noted the opinion of Councilors matters on the town level, and this does not happen at the State level. There must be focus on the common ground and get something done. Mr. Oris expects the State to take more revenue from the towns. He asked that the State leave the towns alone, let towns do what they do well, and allow opportunities for growth of the grand list.

One specific example was cited by Mr. Oris...the advancing of water in the north end, which did fail at referendum. The Town is meeting and talking to RWA about how to get this done economically, for the most valuable land in Cheshire in total mass for

grand list growth. The reality is that just to design and approve that plan is at least a year. He questioned what developer would wait one year to get water in the north end...on top of all the other regulatory things to deal with for design and approval. Mr. Oris said the Council and community will be pushing the legislators to help with Cheshire moving forward.

In response, Rep. Fishbein said he and the other legislators want to work together with the Council, and suggested a group to talk about mandates and other issues. He said the 90 day DEEP provision approval process might help. The upcoming legislative session is a short one, and in next year's session there will be time to talk, come together and come up with a list to be discussed.

Stating agreement, Rep. Zupkus said she would like to get information on the mandates to work on with Cheshire, send out to COG, municipal mayors, because other towns have the same issues and concerns. She asked that legislators be invited to the meetings with the RWA. There are things to work on together, put through legislation, and move things forward for Cheshire, including tackling a few of the mandates at a time.

This is not a partisan issue and Rep. Linehan said legislators can work together and passage of a bipartisan budget would be a start. She is looking at and involved in the advancing of water in the north end, and asked for a summary and invitation to the RWA meetings. Ms. Linehan thinks the referendum failed due to the cost.

Councilor Bowman asked if the legislators meet with the Board of Education (BOE), and commented on the near empty school buses driving through town, due to the mandate of a seat for every child. This is a waste of money, and common sense needs to be included in the statutes, mandates and regulations.

Rep. Zupkus stated it will be a difficult year in Hartford coming up with a budget, the fiscal status of the State, but legislators will do all they can to help Cheshire. Belts must be tightened, but it is known that Cheshire handles its finances better than the State.

Chairman Oris thanked the Legislators for attending the meeting, and stated appreciation for all they do for Cheshire.

D. Public Comments

Cindy Kleist, 251 Lancaster Way, stated support for the tandem dump truck for the Public Works Department, and asked the Council to reconsider this purchase. The cost of the truck is \$200,000 and over 10 years this is \$20,000 annually. This is worth the cost due to the high cost of having salt delivered, and this truck could be rented to other towns. She found trucks on the internet, a used truck with 200,000 miles for \$54,000, and she will e-mail the information to the Council. Ms. Kleist thanked Eversource for

their work with tree removal and new poles in her area of town, resulting in no power failures for three years.

5. APPROVAL OF MINUTES – December 12, 2017

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

MOVED to approve the minutes of December 12, 2017, subject to corrections, additions, deletions.

Resolution #121217-9 amended to read:

BE IT FURTHER RESOLVED, that the Town Council appoints the following members to the Public Building Commission Ordinance Review Study Group:

Patti Flynn-Harris (D)
Paul Bowman (R)
James McKenney (D)
Vincent Robitaille (R)
Richard Clavet ®

VOTE The motion passed unanimously by those present.

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

MOVED to approve the minutes of December 20, 2017, 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 #010918-1

RESOLUTION #010918-1
CONSENT CALENDAR FOR JANUARY 9, 2018

BE IT RESOLVED, that the Town Council approves the Consent Calendar for January 9, 2018 as follows:

- A. Acceptance and appropriation of a \$500 donation from Michael and Marilyn D'Angelo to the Cheshire Fuel Bank Account.

- B. Acceptance and appropriation of a \$50 donation from Gail DeBoer to the Cheshire Fuel Bank Account.
- C. Acceptance and appropriation of a \$50 donation from the Cheshire Senior Center Membership Association to the Police Department Gift Account for The Cheshire Police Explorers.
- D. Acceptance and appropriation of a \$100 donation from Steve and Laurel Fisher to the Human Services Gift Account to purchase gifts for those in need.
- E. Acceptance and appropriation of \$2,060.35 from the Artsplace Art Market Proceeds to the Cheshire Performing and Fine Arts Gift Account for Scholarships.
- F. Acceptance and appropriation of a \$250 donation from Town employees Ann Balletto, William Donlin, Diane Hodgkins, Cindy O'Bar and Diane Waller To the Human Services Gift Account to purchase gifts for those in need.
- G. Acceptance and appropriation of a \$200 donation from Kyum and Gail Pyun To the Library Gift Account to be used for general purposes.
- H. Acceptance and appropriation of a \$50 donation from Lee McKernan to the Library Gift Account to be used for general purposes.
- I. Acceptance and appropriation of a \$10 donation from Martin Cobern to the Library Gift Account to be used for general purposes.
- J. Acceptance and appropriation of a \$5,342 grant from the Department of Mental Health and Addiction Services for the Local Prevention Council Grant to be used to fund substance abuse prevention activities.
- K. Acceptance and appropriation of a \$1,650 donation from Kathryn Delmonico For a memorial bench in honor of David Delmonico.
- L. Acceptance and appropriation of a \$25 donation from the Cheshire Senior Center Widow and Widowers in memory of Shirley Bobok to the Human Services Gift Account for the Senior Center.
- M. Acceptance and appropriation of a \$100 donation from Mr. and Mrs. Daniel Dwire in memory of Dan Ort to the Human Services Gift Account for the Senior Center.
- N. Acceptance and appropriation of a \$20 donation from Mr. and Mrs. Wallinger In appreciation of the Cheshire Senior Center Staff to the Human Services Gift Account for the Senior Center.

- O. Acceptance and appropriation of a \$51 donation from an anonymous donor in appreciation of the Cheshire Senior Center Staff to the Human Services Gift Account for the Senior Center.
- P. Acceptance and appropriation of a \$1,000 donation from the Cheshire Senior Travel Club appreciation of the Cheshire Senior Center Staff to the Human Services Gift Account for the Senior Center.
- Q. Acceptance and appropriation of a \$40 donation from Jessie Stoyak in Appreciation of the Cheshire Senior Center Staff to the Cheshire Human Services Jitney Bus Fund.
- R. Acceptance and appropriation of a \$50 donation from an anonymous donor to the Human Services Gift Account for general purposes.
- S. Acceptance and appropriation of a \$2,250 donation from the Cheshire Rotary Club to the Human Services Gift Account for general purposes.

VOTE The motion passed unanimously by those present.

7. ITEMS REMOVED FROM CONSENT CALENDAR - none

8. OLD BUSINESS

A. Legislative Recommendations.

MOTION by Mr. Slocum; seconded by Mr. Veleber.

BE IT RESOLVED, that the Town Council approves Resolution #010918-10

RESOLUTION #010918-10

BE IT RESOLVED, that the Town Council amends the Legislative Recommendations to include a request to enable municipalities, especially police departments, to charge reasonable fees to cover staff time spent in fulfilling an FOIA request for electronic file reproduction in addition to the cost of the medium upon which the document(s) are provided.

Discussion

Mr. Bowman stated his support of this resolution because of the costs of litigation for accidents and incidents, with the police department providing lots of time to comply with FOIA. He asked if other departments would have limitations.

Mr. Milone said this could be far reaching, and include the Fire Department and other departments.

VOTE The motion passed unanimously by those present.

9. NEW BUSINESS

A. Conflict of Interest Notification and Disclosures.

A copy of the Conflict of Interest Ordinance is attached to these minutes.

Town Manager Milone informed the Council that each employee has received their annual disclosure reminder and the Town is in the process of transmitting a copy to all elected and appointed officials serving on boards, commissions, committees.

Town Manager Milone referred to his memo of January 5, 2018 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, the law firm of Murtha Cullina and his personal relationship with Attorney Al Smith, Lead Counsel to the Town.

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

Mr. Bowman talked about his abstaining from a vote on Cheshire Police Department matters due to conflict of interest as his son-in-law is a Cheshire Police Officer. He posed this question to Attorney Smith.

In a case like this it is not an inherent conflict, and Attorney Smith advised it should be disclosed before a matter is before the Council.

A question was raised by Mr. Slocum on whether someone should leave the room if there is a conflict of interest with a vote before the Council.

In that instance, Attorney Smith advised the person can abstain from the act of voting, and the other is recusing oneself from discussion of the issue. It is not a legal requirement but it is a best practice to recuse and absent yourself from discussion. The physical recusal is part and parcel of the direct recusal part.

B. Bidding Requirements

MOTION by Mr. Slocum; seconded by Mr. Veleber.

BE IT RESOLVED, that the Town Council approves Resolution #010918-2

RESOLUTION #010918-2

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, 2018 through

January 31, 2019, 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
Capital Region Education Council
Western State Contracting Alliance (WSCA) - National Association of State Procurement Officials (NASPO) Cooperative Purchasing Organization
Houston/Galveston Area Cooperative (HGAC)

Discussion

Mr. Slocum stated the Council reviewed the bidding requirements a few years ago, increased the limits, and there are no changes recommended.

The Council was reassured by Mr. Milone that there is still solicitation of bids for most items; 3 quotes are received on items \$3,000 to \$4,000 and above.

VOTE The motion passed unanimously by those present.

C. Discussion re: impact of State budget on Town operating budget.

Town Manager Milone noted that last month the Council met, the process was outlined for generation of \$1.8M surplus, everything is tracking well, and expenditures are under last year. Everything is frozen except for essential services and activities. Tax revenue is ahead of this time last year by +2% points.

Public Works Snow and Ice Budget – the winter season is hitting this budget very hard; overtime was budgeted at \$95,000; \$65,000 has been spent to date; and the overtime budget will be exceeded. The department is going through salt quickly, salt is reordered following each storm; and this budget will be exceeded by \$50,000.

The State has indicated its revenue is +\$900M ahead of December projections.

Snow Plow Trucks – Mr. Milone commented on complaints about speeding snow plow trucks, and explained each truck has a sophisticated GPS system, with a read out every three (3) seconds on truck location and speed. There are maps which represent routes followed by the drivers; the red marks indicate stops; the arrows indicate where the truck has exceeded the speed limit; some routes show excess speed, usually on West Main Street and Waterbury Road; and drivers have strict orders to maintain speed limits.

The complaints are taken seriously; people must identify where they saw the truck and time the truck was seen. This information can be immediately clarified through the GPS system on whether the truck was speeding. Mr. Milone stated the trucks are carefully monitored.

In response to a question from Ms. Flynn-Harris on whether this information is looked at every time trucks go out, Mr. Milone said he is uncertain of the frequency. There is a level of detail when complaints are received, and Mark Cunningham reviews the information. The Council was told by Mr. Milone that there is a detailed listing of mail box knock downs, by year, street and address. Cheshire has the most generous payout for mailbox replacement of \$200...other towns provide nothing for mailbox damage.

Mr. Veleber asked how many drivers the town has, if they are experienced, if they change over time, and the Park and Rec and PW combined crews.

Mr. Milone cited the following information. Cheshire has 14 routes; crew leaders are in pick-up trucks doing cul de sacs and helping where there are problems. The Parks employees are incorporated into the Public Works snow plowing program; there was a good adjustment with more efficiency; one supervisor runs the entire snow operation; they all have CDL licenses and are comfortable with the trucks; most of the drivers are very experienced; routes are not changed unless there is a necessity; the drivers are familiar with the routes; the GPS indicates if the drivers are doing the routes in appropriate fashion.

Town crews do not plow State roads, and they drive the truck with the plow up on State roads.

Mr. Talbot asked about staff looking at revenue coming in December being higher than normal, and if this was a rush to pre-pay taxes.

Mr. Jaskot said he would look at this and inform the Council.

Mr. Veleber read that the State revenue is increasing by \$900M, and asked if the money will help Cheshire going forward, with money back to the municipalities.

It was stated by Mr. Milone that any release of funds already frozen will not be seen until later in the fiscal year. The State is fearful of releasing funds to municipalities, could regret doing this, and he does not expect funds to be released. Mr. Milone hopes the money will be used for next year and the State will not continue reductions to towns. Any money not already received is gone.

Mr. Jaskot commented on the tax revenue, which was \$11.6M in December 2017, and \$8.3M in December 2016. Supplemental tax bills go out in January, so no information is available yet.

D. FY 18-19 pre-budget planning.

The Council packet included information for the FY 18-19 Budget Planning. Mr. Milone requested Council to schedule another meeting in January to review the information in more detail.

Page 1 – Mr. Milone pointed out footnote #3...the State DOC transfer of \$1,453,607.30 to the Town of Cheshire from the lawsuit award.

Page 8 – The big budget increase next year is in debt service. The State funds (\$1,453,607.30) could be used to defray the cost of the debt service associated with the treatment plant upgrade, spread out over five (5) years. The use of these funds is laid out in column #6 “**State 1.453M**”.

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

BE IT RESOLVED, that the Town Council approves Resolution #010918-3.

RESOLUTION #010918-3

BE IT RESOLVED, that the Town Council calls for a public hearing to consider an extension to the elderly tax relief ordinance, Section 17-6.

Discussion

It was pointed out by Ms. Flynn-Harris that the three elderly tax relief programs sunset this year and must go to public hearing.

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. Flynn-Harris; seconded by Mr. Slocum.

BE IT RESOLVED, that the Town Council approves Resolution #010918-4.

RESOLUTION #010918-4

BE IT RESOLVED, that the Town Council calls for a public hearing to consider an extension to the elderly tax freeze ordinance, Section 17-15.

VOTE The motion passed unanimously by those present.

iii. Approval of income levels for the 2017 Local Elderly Property Tax Credit Program.

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

BE IT RESOLVED, that the Town Council approves Resolution #010918-5.

RESOLUTION #010918-5

BE IT RESOLVED, that the Town Council makes the following changes to the property tax relief credits and qualifying incomes in the ordinance, Sections 17-6 (a) (2) and 17-6 (a) (3) for the 2017 Grand List.

(a copy of the property tax relief credits and qualifying incomes is attached to the minutes).

Discussion

Mr. Milone reported that Cheshire's programs are the most expansive and generous in the State. The State program stops at \$43,000 income for single; Cheshire's level is \$53,800 for single; State program stops at \$43,000 for married couples; Cheshire's level is \$57,800 for married couples. The tax credits in Cheshire are more generous; the largest State credit for single income is \$17,700 with \$1,000 credit; Cheshire's level is \$2,694; State limit for married couple is \$1,250; Cheshire's program level is \$2,694. On the last page of the handout is the history of this program from 1998 to 2016. In 2016 there were 455 participants in the tax credit program; 255 participants in the tax freeze program; in 2007 there were 497 participants in the credit program and 280 participants in the freeze program. 2016 total cost of elderly tax relief was \$493,923. The State's portion of the program is \$149,842, which is now totally absorbed by the town. The PILOT payment was eliminated, but the State did not eliminate its program.

With regard to the number of participants decreasing 2009-2014, and 255 people in 2016, Mr. Milone said the town is losing people on the program. He noted some seniors are better off financially than the prior group of seniors, and most of the people on the original freeze program have been lost.

Going forward, Mr. Bowman requested a breakdown of the people on each level of the tax relief programs. Mr. Milone has these numbers and will provide them to the Council.

VOTE The motion passed unanimously by those present.

F. Approval of Casertano property successor lease.

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

BE IT RESOLVED, that the Town Council approves Resolution #010918-6.

RESOLUTION #010918-6

BE IT RESOLVED, that the Town Council approves the successor Lease Agreement for January 1, 2018 through December 31, 2018 with Alex Arisco for a portion of the former Casertano property for agricultural purposes, under the terms as presented and attached, and authorizes the Town Manager to execute said Lease Agreement.

Discussion

Mr. Bowman referred to the letter from Mr. Arisco requesting extension of this lease, and asked if the lessee is in good standing.

Mr. Milone advised that Mr. Arisco is in good standing; is a good tenant; is easy to work with; is taking good care of the property, and has done upgrades to the property. The town has a good relationship with Mr. Arisco.

The letter cites Arisco Farms LLC, and Mr. Bowman asked if the lease should reflect this.

Town Attorney Smith informed the Council that having the lease in the name of Alex Arisco gives the town greater recourse in the event there is a problem with rent payment or other liabilities. The lease hold interest may be the only property owned by the LLC, and could be judgment proof. A change made could limit the town's recourse against the tenant.

Chairman Oris asked what is being done to insure adherence to environmental requirements, and if there is liability insurance with the town as an insurer.

The Council was told by Mr. Milone that, as part of the lease, Mr. Arisco submits a letter to the town giving assurances he uses the correct chemicals. He also cites the chemicals being used to be in compliance. The liability insurance is also in place.

VOTE The motion passed unanimously by those present.

G. Appointment of Subregistrars of Vital Statistics.

MOTION by Mr. Falk; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #010918-7.

RESOLUTION #010918-7

BE IT RESOLVED, that the Town Council approves the Town Clerk's appointments of Daniel J. Ford and John W. Ford as Subregistrars of Vital Statistics for the term January 1, 2018 to January 6, 2020.

Discussion

Mr. Falk explained that under the statute, the Town Clerk appoints the Subregistrars, and looks to the Council for approval of these appointments.

Mr. Milone advised that this approval gives the Subregistrars the authority to sign death certificates, and the same two people were appointed two years ago.

VOTE The motion passed unanimously by those present.

H. Authorization to apply for a 2018 Small Cities Community Development Program Grant.

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

BE IT RESOLVED, that the Town Council approves Resolution #010918-8.

RESOLUTION #010918-8

BE IT RESOLVED, that the Town Council authorizes application for a Connecticut Department of Housing Small Cities Community Development Program Block Grant Municipal Housing Rehabilitation Programs in the amount of \$400,000 to assist needy Cheshire residents in making necessary safety-related repairs to their homes, and

BE IT FURTHER RESOLVED, that the Town Council authorizes a Request for Proposal for a consultant to assist with the application and administration of said grant.

Discussion

This has been a successful program with people making necessary improvements to their homes, and Mr. Oris noted the town is the conduit for the program. The allocation of funds runs out in September 2018, and the town wants to make the money available to the community.

Mr. Bowman supports this resolution which helps people make necessary safety repairs to their homes. In that regard, Mr. Bowman asked about consideration to waive the

permit fees for these people, as well as the increased assessment based on personal needs...i.e. disabled veterans who must adapt and modify their residence to accommodate their needs.

VOTE The motion passed unanimously by those present.

I. Annual adoption of Fair Housing Policy

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

BE IT RESOLVED, that the Town Council approves Resolution #010918-9.

RESOLUTION #010918-9

BE IT RESOLVED, that the Town Council adopts the Fair Housing Policy as follows:

WHEREAS, All American citizens are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

WHEREAS, State and Federal Fair Housing Laws require that all individuals, regardless of race, color, religion, sex, national origin, ancestry, marital status, age, mental or physical disability, lawful source of income, sexual orientation, familial status, be given equal access to rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and

WHEREAS, The Town of Cheshire is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cheshire hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase and obtain financing for adequate housing of their choice on a non-discriminatory basis; and

BE IT FURTHER RESOLVED, that the Town Manager of the Town of Cheshire or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the Town of Cheshire.

Discussion

With regard to this police, Mr. Milone informed the Council that he has no recollection of anyone asking for help with fair housing. If someone would ask for help, he and staff would have to understand the circumstances and respond to the individual. The Council was told by Mr. Milone that this notice is posted on the bulletin board in the Town Manager's office, as required by law.

VOTE The motion passed unanimously by those present.

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

- Monthly Financial Report – Mr. Milone noted this report was discussed earlier in the meeting.
- FY 17-18 Final Five Year Capital Expenditure Plan and Annual Capital Expenditure Report – these reports were on the Council desks for this meeting.
- Fire Marshal's Inspections and Status Report – The Council increased the appropriation for a part time inspector, and Fire Marshall Andrews was able to significantly increase the number of inspections. 2017 – 1,220 inspections; 2016 – 733 inspections; 2015 -181 inspections. The fire inspections are a high priority for the Fire Marshal.
- Town Manager Transition Work Plan – Mr. Milone referred to his memo of December 18, 2017 on this work plan, and said the items are the known highlights and priorities in the Town Manager's Goals and Objectives. They are in various stages of moving along, and how to get initiated. Mr. Milone will update the Personnel Committee on pending issues, and asked for the committee to hold a second meeting in January. At the second January Council meeting there will be review of the pre-budget planning with the Town Manager.
- Cheshire Police Benevolent Association – The CPD Association received media recognition when it launched a drive to help a family in Cheshire that had all their holiday gifts stolen.
- Manson Youth Institution Closing – the Governor announced the closing of this facility; the PILOT payment to Cheshire may be reduced.
- CCM Discount Prescription Drug Plan – this program is very successful and many residents have participated.
- FOI Training – Mr. Milone announced there will be FOIA training for boards/commissions/committees; Ms. Talbot will provide the FOIA training for individual groups. The Parks and Recreation Commission and Public Building

Commission have already received this training. Mr. Milone pointed out the importance of insuring everyone follows FOI to the letter of the law. One way to accomplish this is development of appropriate agendas with items specific to the topics, and pre-written resolutions/motions.

Ms. Flynn-Harris asked about FOI training in one large session with board, commission, committee members, as was done five years ago.

According to Mr. Milone the benefit of going to the meetings is getting all the members present, and looking at different problems with different groups. The individual sessions provide a better way to get to the root of issues and problems.

Ms. Flynn-Harris asked that the Council receive their FOI packets.

- Ice Skating Rink Status – the rink opens on January 10th; there is a press release going out; O&G has donated the lights for the skating season with no cost to the town; it is expected these lights will be adequate, and if not CPD has lights available for use. The rink is open 9 a.m. to 9 p.m.; skating is at one's own risk; there are picnic tables and benches at the park location. On Thursday, January 18th, there will recognition of the Schena Family which made the major donation.
- Upcoming Meetings – Ordinance Review Committee, January 10th, 7:00 p.m.
- Town Hall Closing – Monday, January 15th, Martin Luther King Day.

Mr. Slocum talked about the walkway at the Chapman property and if this has been designed yet.

There is no design yet, and Mr. Milone said town staff will visit with abutting neighbors about the design. The work to be done by PW crew is waiting for the snow to clear.

11. REPORTS OF COMMITTEES OF THE COUNCIL.

A. Chairman's Report

Ordinance Review Committee – Ms. Flynn-Harris advised the committee will hold a second meeting on January 25th.

B. Miscellaneous

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports

B. Appointments to Boards and Commissions

The corrections to appointments was postponed to the February meeting.

13. TOWN ATTORNEY REPORT AND COMMUNICATIONS

14. COUNCIL COMMUNICATIONS

A. Letters to Council.

B. Miscellaneous

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

MOVED that the Town Council enter Executive Session at 9:28 p.m.

VOTE The motion passed unanimously by those present.

(Mr. Bowman, Mr. Falk and Attorney Smith left executive session at 9:30 p.m.)

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

MOVED to exit Executive Session at 9:40 p.m.

VOTE The motion passed unanimously by those present.

15. ADJOURNMENT

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

MOVED to adjourn the meeting at 9:40 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk