

MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD IMMEDIATELY FOLLOWING THE 7:00 P.M. PUBLIC HEARINGS ON TUESDAY, FEBRUARY 13, 2018 IN COUNCIL CHAMBERS, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

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

Absent: Thomas Ruocco.

Staff: Michael A. Milone, Town Manager; James Jaskot, Finance Director; Alfred Smith, Town Attorney; Michelle Piccerillo, Director of Human Services; Walter Gancarz, Town Engineer; Police Chief Neil Dryfe; Deputy Police Chief Brian Pichnarcik; Personnel Director Louis Zullo. Gerald Sitko, Economic Development Coordinator; Vincent Masciana, COO, Dept. of Education.

Others Present: David Pelletier, Chairman, Economic Development Commission; Mark Nash, Chairman, Public Building Commission. VFW Post 1052 Members: John White, Ralph Rowland, Irvin Daubert.

1. ROLL CALL

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

(In the absence of Chairman Oris, Vice Chairman Bowman conducted the opening of the meeting)

2. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

3. ITEMS FOR EXECUTIVE SESSION

A. Personnel Matters

B. Negotiations, pending claims and litigation

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

4. PUBLIC COMMUNICATIONS

A. Recognition of WWII Veterans Ralph Rowland and Irvin Daubert.

Vice Chairman Bowman presented a Certificate of Recognition to Ralph Rowland. The Certificate commended Mr. Rowland for his outstanding military service and cited the accommodations awarded to him during his time of service.

Mr. Rowland expressed appreciation for the honor and recognition from the Council and Town of Cheshire. He said he and his family enjoyed living in Town for 62+ years, as it is a wonderful place to raise a family, with generous people and many benefits for its elderly citizens. Mr. Rowland noted he is 97 years old.

Vice Chairman Bowman presented a Certificate of Recognition to Irvin Daubert. The Certificate commended Mr. Daubert for his outstanding military service and cited the accommodations awarded to him during his time of service.

Mr. Daubert thanked the Council and Town of Cheshire for his recognition. Over the 20+ years he lived in Cheshire, Mr. Daubert said it was most enjoyable, and a great place to live. Mr. Daubert noted he is 97 years old.

Councilor Falk, member of VFW Post 1052, read a statement honoring Mr. Rowland and Mr. Daubert. He stated it was an honor for him to stand with these two outstanding men and WWII Veterans. Through their lives and dedicated military service, Mr. Falk said we continue to live in the land of the free and home of the brave.

Mr. Falk read a letter from Col. Harvey C. Barnum in which he honored Mr. Rowland and Mr. Daubert for their outstanding military service and contributions to Cheshire and the entire country.

Chairman Oris apologized for his late arrival at the meeting due to a family commitment. Mr. Oris cited the importance of WWII Veterans Ralph Rowland and Irvin Daubert to the community and to him, personally. He expressed gratitude for what they have done for the Town, the State and our Country so we all have the freedom we enjoy today. Mr. Oris commented on the importance of our youth knowing American history and the sacrifices of our military personnel. He also stated that Mr. Rowland and Mr. Daubert are part of the Best Generation. He thanked VFW members and John White for assistance in setting up the recognition ceremony for these two great men.

B. Proclamation for Scouting Recognition Day.

Chairman Oris read the Proclamation for Scouting Day, February 16th, into the record, and commended the Boy Scouts and Girls Scouts of Cheshire.

C. Public Comments

Cathleen Devlin, 61 Lanyon Drive, submitted a handout/map on the Cheshire Half Marathon and 5K race, which showed the traffic impact of this event. She commented on the transition work plan items cited in the Town Manager's memorandum from the January 24, 2018 meeting. In particular, Ms. Devlin noted memo items #3 and #4...land purchased for parking at the Linear Trail, a pedestrian bridge from the high school to the Trail, hiring Chapman property consultant, and meeting with the Half Marathon Committee...and her belief they are all part of a planned design. At this meeting and discussion on the pedestrian bridge, Mr. Bowman requested removal of this item from the list. Stating she disagreed with this decision, Ms. Devlin requested this bridge be included for any plans for the Chapman Property, and stated her reasons for this request. She cited the Linear Trail as a public owned jewel which will be fully accessible as a public park making the north and south ends of town active, self-propelled outdoor recreation. In her remarks, Ms. Devlin talked about the link between the Trail and high school (a venue for many town events); the 4/29/18 half marathon

beginning and ending at the high school with a significant portion run on the trail; thousands of people attending the marathon race; parking for the spectators at Doolittle School, people's access to the event, out-of-towners getting lost; the ability for people to cross Willow Brook into the high school and run laps; Willow Brook supporting the trail from the high school property; the ability to cross over Route 10 and see what is happening at Bartlem Park to the Chapman property; now and for the foreseeable future there is no public cut-through bridging the gap between the Trail and high school; the absence of a bridge in that location is counter-intuitive; the Trail, mid-point between Cornwall Avenue and Higgins Road, runs parallel to the back of the high school; the service road is paved 10 ft. wide and leads to the pump station at the high school; a short 50 ft. pedestrian bridge would connect the Trail to this service road. When Vice Chairman Bowman introduced this idea at a Council meeting in summer of 2017, Ms. Devlin said she was "awestruck" and wondered why this was not done before. She noted that Mr. Bowman continued to press the bridge proposal at capital budget meetings, but was met with push back from Town officials, who said it was too expensive and too difficult to execute the bridge. The Town of Hamden has a bridge at Brooksvale Park (pink on the map). According to Ms. Devlin there are talented people on the marathon committee; they want to expand their event; and they would know how to get this job done. She suggested the bridge be named the ION Bank Bridge. Ms. Devlin requested that a consultant, hired for the use of the Chapman property, have inclusion of the pedestrian bridge in the design. She commented on the Trail as part of the great scheme of Cheshire, and continuing to make Cheshire an active, outdoor recreation destination.

From his perspective, Mr. Bowman said this item is withdrawn. He will bring it back after further review and cost estimates, and has not given up on the pedestrian bridge.

James Keaney, 531 Cortland Circle, stated he is President of Diversified Construction Group. This company performed the construction project for the CHS locker room in 2015, which was completed, and plagued with many construction issues. The responsibility for the issues can be debated. It was a well documented project; minutes of the bi-weekly meetings are on record with issues clearly documented; there is correspondence between him and BL Company (architect) on the issues. After the fact, it became known to him there were comments made about the project at Public Building Commission (PBC) meetings with statements about not being happy with his company's performance. Mr. Keaney said he was at a loss on how to remedy this situation. The final c/o was negotiated and the project completed, with no call back for any warranty issues on the project. Since then, Diversified Construction Group has bid on four projects, and on November 21st, the company was low bidder (by \$27,000) on the Norton School project. Based on the alleged poor performance on the locker room project, the PBC recommended going with the #2 bidder, and Mr. Keaney expressed his concern about this. His company provided references which were checked, and the architect had no problem with Diversified performing qualified projects. PBC re-bid the Norton project; Diversified was the low bidder by \$12,250; and PBC recommended not to award the project to Diversified Construction Group, and go with the #2 bidder. Mr.

Keaney expressed concerns about the process of getting to this point, values the reputation and work of his company, and said he is willing to meet with anybody to review any apparent issues on performance. The 2015 locker room project was well documented; he is willing to meet with the PBC to discuss issues; he did attend a PBC meeting and spoke about the matter; but did not have an open dialogue about concerns. Mr. Keaney asked about the avenue established for his company to address the situation and concerns. He requested the Council award the Norton project to the lowest responsible bidder – Diversified Construction Group. He also requested the Council to look at the process and procedures. If there are concerns with a company, to not just have conjecture and opinion that gets passed down over the years, and a company can no longer work for the Town.

5. APPROVAL OF MINUTES – Regular Meeting, January 9, 2018 and Special Meeting of January 24, 2018.

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

MOVED to approve the minutes of the Regular Meeting of January 9, 2018 and Special Meeting of January 24, 2018, 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 #021318-1

RESOLUTION #021318-1
CONSENT CALENDAR FOR FEBRUARY 13, 2018

BE IT RESOLVED, that the Town Council approves the Consent Calendar for February 13, 2018 as follows:

- A. Acceptance and appropriation of a \$20 donation from Mary C. Salvatore To the Cheshire Police Department Gift Account to be used for general purposes.
- B. Acceptance and appropriation of a \$50 donation from an anonymous donor To the Human Services Gift Account to be used for general purposes.
- C. Acceptance and appropriation of a \$5,798 State of Connecticut Department Of Education Youth Service Bureau Enhancement Grant to be used for positive youth development and community awareness programs and clinical support groups for youth.

- D. Acceptance and appropriation of a \$5,000 grant from the Housatonic Valley Coalition Against Substance Abuse Inc. for substance abuse prevention activities.
- E. Acceptance and appropriation of a \$145.26 donation from the Committee to re-elect Patti Flynn-Harris to the Human Services Gift Account.
- F. Acceptance and appropriation of a \$20 donation from Jessie Stoyak in Appreciation of the Senior Center Staff to the Human Services Gift Account for The Senior Center.
- G. Acceptance and appropriation of a \$25 donation from Pamela Monahan in honor of Senior Center Staff member David Sheehan's birthday to the Human Services Gift Account for the Senior Center.
- H. Acceptance and appropriation of a \$25 donation from Jane and Cheryl Miller in Memory of Richard "Mac" McHugh to the Cheshire Human Services Jitney Bus Fund.
- I. Acceptance and appropriation of a \$25 donation from Cheshire Senior Travel Club in Memory of Richard "Mac" McHugh to the Cheshire Human Services Jitney Bus Fund.
- J. Acceptance and appropriation of a \$35 donation from Severino Fasulo to the Cheshire Human Services Jitney Bus Fund.
- K. Acceptance and appropriation of a \$30,000 Department of Energy Management And Homeland Security Grant for the purchase of a backup generator at the Youth Center.

VOTE The motion passed unanimously by those present.

7. ITEMS REMOVED FROM CONSENT CALENDAR

8. OLD BUSINESS

9. NEW BUSINESS

A. Public Hearing for Small Cities FY 2018 Community Development Block Grant.

The Clerk read the Notice of Public Hearing for the Small Cities FY 2018 Community Development Block Grant.

Director of Human Services Michelle Piccerillo read the Statement of Town Official/Representative.

Ms. Piccerillo explained that Cheshire received a \$400,000 grant in 2016. Ten households participated in the program at that time, and this year about 15 new households can participate in the new grant program. These are not renovation projects; they are for safety reasons, energy efficiency, improve quality of life for eligible residents. Ms. Piccerillo stated she and the Town look forward to another run of funding for these projects.

There were no questions or comments. Chairman Oris closed the public hearing.

B. Authorization to apply for a \$400,000 Small Cities Program Housing Rehabilitation Grant.

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-2

RESOLUTION #021318-2

WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Housing pursuant to Public Law 93-3-83, as amended; and

WHEREAS, pursuant to Chapter 127c and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Housing is authorized to disburse such Federal monies to local municipalities; and,

WHEREAS, it is desirable and in the public interest that The Town of Cheshire make application to the State for \$400,000 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement therefore, should one be offered.

NOW, THEREFORE, BE IT RESOLVED BY THE Town Council:

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of the Connecticut General Statutes; and
2. That the filing of an application by The Town of Cheshire in an amount not to exceed \$400,000 is hereby approved, and that Michael Milone, the Town Manager of the Town of Cheshire is hereby authorized and directed to file such Application with the Commissioner of the Department of Housing, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an

Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of Cheshire.

VOTE The motion passed unanimously by those present.

C. Approval of amendments to the elderly tax relief ordinance Section 17-6.

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-3

RESOLUTION #021318-3

BE IT RESOLVED, that the Town Council approves the proposed amendment to extend the Local Elderly Property Tax Credit Program ordinance Section 17-6 as follows:

Sec. 17-6. Property tax relief; owner's abatement program for certain elderly and/or disabled homeowners.

(a) (11) This section (17-6) shall be in effect for the Grand List of October 1, 2017 for FY 2018-2019 until September 30, 2018, at which time it shall automatically be repealed.

This amendment becomes effective 21 days after publication

VOTE The motion passed unanimously by those present.

D. Approval of amendments to the elderly tax freeze ordinance Section 17-15.

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-4

RESOLUTION #021318-4

BE IT RESOLVED, that the Town Council approves the proposed amendment extending the elderly tax freeze ordinance Section 17-15 follows:

Sec. 17-15 Elderly Tax Freeze

(a) Pursuant to the provisions of Connecticut General Statute 12-170v, eligible elderly homeowners may apply and if qualified, pursuant to said statute, receive property tax relief as set forth in said Statute for taxes due on the Grand List of October 1, 2017 for Fiscal Year 2018-2019.

(b) *This section shall be in effect until September 30, 2018, at which time it shall be automatically repealed.*

This amendment becomes effective 21 days after publication.

VOTE The motion passed unanimously by those present.

E. Call for Public Hearing for the FY 2018-2019 General Operating Budget, Water Pollution Control Department Fund Operating Budget, and Community Pool Fund Operating Budget.

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-5

RESOLUTION #021318-5

BE IT RESOLVED, that the Town Council will hold a public hearing at 7:00 p.m. on Tuesday, March 20, 2018 in Council Chambers, Town Hall, 84 South Main Street, Cheshire, Connecticut, to consider the proposed General Fund Operating Budget for Fiscal Year 2018-2019, the proposed Water Pollution Control Department Fund Operating Budget for Fiscal Year 2018-2019, and the Community Pool Fund Operating Budget for Fiscal Year 2018-2019.

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

VOTE The motion passed unanimously by those present.

F. Waiver of bid and appointment of Camoin Associates to conduct Consulting Services for potential Tax Increment Financing District.

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-6

RESOLUTION #021318-6

WHEREAS, the Town Council finds it is in the best interests of the Town to hire a consultant for the proposed Tax Increment Financing District, and

WHEREAS, Camoin Associates has been recommended by the Economic Development Commission upon review of an informal solicitation,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council waives the bidding requirements for a consultant for this project, and further authorizes the execution of contract with Camoin Associates for said services for \$22,500 and allocates said amount from the Capital Planning Account.

Discussion

David Pelletier, Chairman EDC, informed the Council that the EDC at its January 16th meeting, unanimously approved the engagement of Camoin Associates to possibly setting up a TIF (Tax Increment Financing) Master Plan District in Cheshire. He noted this type of consulting work is very specialized, and the TIF idea came from the Arnett Muldrow report which the EDC presented to the Council last year. The Camoin firm has great experience in establishing TIF districts in Connecticut (New Britain, Canton, Suffield and Groton). Mr. Pelletier explained how the TIF works, with use of increased tax revenue from a development to pay for infrastructure work or a variety of other things in the district. An undeveloped piece of property with tax revenue of \$100,000 is taken and developed with tax revenue of \$200,000. A portion of this tax revenue increase can be used to pay for infrastructure work/improvements in a designated area. The Town Council has complete control of the project. A master plan must be developed. A TIF is not new taxes or special assessment, but is a portion of revenue from a new development. A TIF is established; it requires Council, Planning and Zoning and Assessor involvement; the master plan identifies applicable TIF properties within the district; a financial plan detailing the schedule of incremental tax revenue would be developed; and the TIF district cannot exceed 50 years. The Council has control of the length of time for the TIF district. The components of a financial master plan include cost estimates for public improvements/developments within the district, sources of anticipated revenue, amount of indebtedness (if any), terms and conditions of any agreements, estimate of increase of assessed value in the district, and the portion of the increase in value applied to the TIF district, and the portion of revenue to be utilized for municipal purposes. TIF revenues can be used for many purposes, including infrastructure improvements, land assembly costs...but cannot be used for general fund purposes. The Council can rescind the TIF district plan.

Ms. Nichols stated her support of the TIF plan, and asked for clarification on whether the developer can also receive benefits from the tax incentive program.

Mr. Pelletier said it must be established that there is no double dipping. He suggested a steering committee be set up to shepherd this project through, to include Council, EDC, PZC members and Town staff. Mr. Pelletier noted that the Muldrow report suggested Cheshire look into a TIF district, as it has been used in other municipalities and increased economic development.

A question was raised by Ms. Flynn-Harris about the time frame for the consultant and the extra time needed to spur economic development.

With regard to the time frame for the consultant's work, Mr. Pelletier advised Camoin would start the process in the next few months, to be completed by the end of 2018.

Mr. Veleber asked what the Town gets for the \$22,500 consulting service cost.

This was discussed with Camoin and Mr. Pelletier said it would bring Cheshire to establishment of the TIF district. A public hearing would be required, and vote of the Council to bring it to the final point.

It was stated by Chairman Oris that the scope of services is cited in the packet submitted by Camoin Associates.

For the scope of the district, Mr. Slocum asked about the Town making a determination of multiple areas without need for another consultant, or the steering committee identification of areas.

According to Mr. Pelletier the areas could be identified, with Camoin's focus on one area of Town. To establish a second area for a district, the groundwork would already be laid out, and another consultant would not be required.

Mr. Talbot thanked Mr. Pelletier and the EDC for bringing these ideas and TIF district to the Council, moving economic development forward, and he will support the resolution. He asked about inclusion in the Town Manager's report of a monthly report on pending economic development, inventory, etc. from Mr. Sitko.

VOTE The motion passed unanimously by those present.

G. Acceptance and appropriation of a Bright Idea Grant

MOTION by Mr. Veleber; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #021318-7

RESOLUTION #021318-7

BE IT RESOLVED, that the Town Council accepts and appropriates an anticipated \$10,000 final Bright Idea Grant to pursue a Combined Heat and Power System at the Community Pool, including technical assistance with an RFP and installation if deemed feasible, and also appropriates approximately \$1,000 of this grant for public education on the real time power production at the solar facility including the purchase of a monitor for the Town Hall Lobby.

Discussion

Mr. Veleber said this is appropriation of money for one remaining Bright Idea grant for heating/power system at the community pool.

Town Engineer Gancarz explained that this program award had a stipulation of application submission prior to February 9th, and the Town submitted the application, and received a \$10,000 check today. The Energy Commission looked at combining heat and power for the pool. This generates electricity for electric consumption and the waste heat would be captured and used to offset heating the pool. The funds will help with technical assistance for an RFP and assist companies with proposals. The companies will be requested to price purchases or go through a power/purchase agreement with total financing and the Town getting the savings and heat for free. Mr. Gancarz said one company cited 35kw facility with \$175,000 cost and payback in about six years. Without use of town funds up front the savings would be about \$3,500 a year.

VOTE The motion passed unanimously by those present.

H. Authorization to participate in the Solarize Cheshire program.

MOTION by Mr. Veleber; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #021318-8

RESOLUTION #021318-8

BE IT RESOLVED, that the Town Council approves the submission of a proposal to participate in Round 2 of the SmartPower Solarize Cheshire Program, which would enable Cheshire homeowners to get best price options for residential solar installations, and further authorizes the execution of a Memorandum of Understanding with SmartPower if Cheshire is selected as a participating community.

Discussion

Mr. Veleber stated this is for approval to participate in Solarize Cheshire at no cost to the Town.

In 2014, Mr. Gancarz said Cheshire participated in this program, with 52 residences taking advantage of the program. It was fairly successful; there is no cost to the Town; and provides review of proposals and better prices to residents for solar installation.

VOTE The motion passed unanimously by those present.

Regarding the landfill solar project, Mr. Gancarz said it is coming along well. Eversource's transformer was installed on Friday; overhead stuff is done; the cutoff to the garage will be done on Saturday; and by mid-March they will be on-line.

Mr. Gancarz has spoken with Keith Baron, Building Maintainer, and informed the Council about the problem with the gas heat in the Town Hall building. The gas line comes off Wallingford Road; it has a break or sag with moisture collected, and not

getting proper gas into the boilers. On Wednesday there will be piping to the boilers through the basement. This is a significant repair, but should be completed on Wednesday.

I. Authorization to utilize a design build proposal for the CHS Outdoor Storage Building Project.

MOTION by Mr. Bowman; seconded by Mr. Slocum.

BE IT RESOLVED, that the Town Council approves Resolution #021318-9

RESOLUTION #021318-9

BE IT RESOLVED, that the Town Council authorizes the Public Building Commission to utilize the design build process pursuant to Section 2-26(C) (5)(c)2 for the Cheshire High School Outdoor Storage Building capital project.

Discussion

Mark Nash, PBC Chairman, stated this is for replacement of ten storage units at Cheshire High School field. The PBC Committee developed design specifications to request design proposals, determine costs, and move forward. The attempt is to develop three building plans/proposals, non-site specific, 3,000 sq.ft. building. The PBC is requesting approval to move forward with a design/build RFP.

With this request, Ms. Flynn-Harris asked if the plan is to replace all ten storage units, and if there is a specific area for the building.

The estimated size of the building is 3,000 sq.ft. and Mr. Nash said it would replace all the existing units. There is no specific area designated, but one particular area is in back of the current garage. The other area would be smaller at the far end of the athletic field. Mr. Nash has spoken with Building Inspector Darin who suggested consideration of "pods" which are 600 sq.ft. in size, would not require foundations, and sit on 6 foot slabs. The PBC will get firm numbers for various options.

Ms. Nichols talked about interior fit-out for the building, which has significant costs for shelves, hooks, equipment etc.

The building will be bare bones and Mr. Nash said modification to the interior will be done by the users. The building will be secured and water proof.

Mr. Oris said the intention is to have the capability to have the entire facility open or cordoned off for various users. He cited the Cheshire Park facility which works well. Mr. Oris does not support use of pods or trailers as they are ugly, get rusty, are unsafe, unhealthy, and would not work well. There is \$260,000 appropriated for this project.

VOTE The motion passed unanimously by those present.

J. Award of Norton Lavatory rebid.

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-10

RESOLUTION #021318-10

BE IT RESOLVED, that the Town Council approves the bid award for the Norton School Lavatory improvements project to Millennium Builders for \$332,250 per the recommendation of the Public Building Commission, and authorizes the Town Manager to execute the necessary contracts with Millennium Builders for said project.

Discussion

PBC Chairman Nash reported this is the 2nd phase of the Norton project for renovation and ADA compliance. This is a summer project and must be done for opening of school. The first phase was successful. PBC discussed this project; there were issues with the contractor for the CHS locker room project; the PBC voted unanimously to recommend Millennium Builders for this project.

VOTE The motion passed 7-1; Slocum opposed.

K. Authorization to hire design consultant for the CHS Code Compliance Capital Project.

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-11

RESOLUTION #021318-11

BE IT RESOLVED, that the Town Council authorizes the Public Building Commission to award a contract to Silver-Petrucci as design consultant for the Cheshire High School Code Compliance Capital Project for \$58,400.

Discussion

PBC Chairman Nash informed the Council that 2 bids were received for the code compliance and ADA upgrades at the high school from Silver-Petrucci and BL Companies. This work is State mandated. PBC met with both firms, reviewed their proposals, conducted interviews, and there were strong points to award the contract to Silver-Petrucci. This firm's price was less than BL Companies; it has done prior work with the Town; the firm offered to begin the survey/examination of the high school and help the Town move forward with this project. Mr. Nash noted the State is putting

pressure on the Town to get these projects done. Silver-Petrucci has put together a program for the State, has deep knowledge of ADA compliance, is familiar with the State programs, and has advised that ADA compliance work could be totally reimbursable to the Town, about \$460,000.

Mr. Bowman stated his support of this initiative, but disappointed in receiving only two bids.

The PBC was also confused about only two bids, and Mr. Nash said PBC feels strongly that Silver-Petrucci will do well with this project. With regard to an idea of how much will be reimbursable, Mr. Nash said it is a two year project starting in summer 2018. Chairman Oris said he would not support this resolution, and would have liked more responses to the bids.

VOTE The motion passed 7-1; Oris opposed.

L. Approval of schematic design for the Doolittle Cafeteria Renovations Project.

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-12

RESOLUTION #021318-12

BE IT RESOLVED, that the Town Council approves the schematic design for the Doolittle Cafeteria Renovations project as presented by the Public Building Commission, pursuant to the Town Code of Ordinances Section 2-26(C)5(e)5.

Discussion

According to Mr. Nash, this is an overdue project. The architect, Wojas LLC, is comfortable with the design and amount allocated to this project. Mr. Nash commented on Doolittle School, grades 1 through 6, with six (6) 25-minute lunch waves each day, which is overwhelming for students. The intent of this project is to do more with what is already there, reorganize, create a better flow in and out of the lunch line, offer more nutritious food items (fruit, salads), reduce pressure on the lunch lines.

Stating this is a well thought out plan, Ms. Nichols commented on the design using what is there now and providing children with an easier flowing lunch line.

The current layout is bad and Mr. Nash noted there is little storage for the kitchen equipment, etc. The new layout will help tremendously. Chesprocott was involved in the process and in adding a hand washing sink.

VOTE The motion passed unanimously by those present.

M. Approval of Lease Agreement for 487 North Brooksvale Road (Lock 12)

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-13

RESOLUTION #021318-13

BE IT RESOLVED, that the Town Council approves the Lease Agreement by and between the Town of Cheshire and Fred Sill for Town property located at 487 North Brooksvale Road, pursuant to the terms and conditions as presented and attached.

Discussion

The importance of having the presence of a qualified Town employee (Fred Sill) leasing and living in the Lock 12 house was cited by Ms. Nichols. There is protection of the property and maintenance of the house and land by the lessee. The rent has been increased to \$800 per month (from \$700). There is a list of interested employees who want to rent the Lock 12 house. She noted this is a private house, not a museum.

Chairman Oris asked about the tenant having personal property insurance, and if this is included in the lease.

Attorney Smith said the lease includes a statement that the Town is not responsible for personal property of the tenant.

VOTE The motion passed unanimously by those present.

N. Call for public hearing re: Traffic Control Ordinance

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-14

RESOLUTION #021318-14

BE IT RESOLVED, That the Town Council shall hold a public hearing to consider an amendment to the Code of Ordinances (new) regarding traffic control at worksites near roadways, and

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

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

VOTE The motion passed unanimously by those present.

O. Call for public hearing re: Blight or Unsafe Premises Ordinance.

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-15

RESOLUTION #021318-15

BE IT RESOLVED, That the Town Council shall hold a public hearing to consider an amendment to the Code of Ordinances (new) regarding blight or unsafe premises, and

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

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

VOTE The motion passed unanimously by those present.

P. Classification and job description for Blight Enforcement Officer.

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-16

RESOLUTION #021318-16

BE IT RESOLVED, that the Town Council approves the reclassification of the Fire Marshal position to include Blight Enforcement Officer title and duties, and further approves a stipend of \$3,000 per year for the Blight Enforcement Officer responsibilities, pending approval of the Blight or Unsafe Premises Ordinance.

Discussion

The Council briefly discussed this agenda item, and it was determined to send it to the Personnel Committee for approval.

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

MOVED to table this agenda item P, and forward to the Personnel Committee.

VOTE The motion passed unanimously by those present.

Q. Amendment to Public Building Commission Ordinance Review Study Group completion deadline.

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-17

RESOLUTION #021318-17

BEIT RESOLVED, that the Town Council hereby amends Resolution 121717-9 to extend the deadline for submission of recommendations from the Public Building Commission Ordinance Review Study Group from March 30, 2018 to June 12, 2018, with a final completion date to be determined upon presentation of said recommendations.

VOTE The motion passed unanimously by those present.

R. Appointment of Town Attorney

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-18

RESOLUTION #021318-18

BE IT RESOLVED, that the Town Council appoints Attorney Al Smith of Murtha Cullina, LLC as the Town Attorney for the Town of Cheshire for the term of January 1, 2018 through December 31, 2019, and

BE IT FURTHER RESOLVED, that the Town Council approves the following fees:

Services will be provided on (1) the basis of a monthly retainer for specified relatively routine matters, and (2) on an hourly basis for all other matters.

The monthly retainer will remain at \$21,000. The retainer will continue to cover normal day-to-day handling of Town legal matters, including but not limited to attendance at regular Town Council meetings; attendance at monthly meeting with the Town Manager and his staff; preparation and review of Town ordinances; preparation of written legal opinions; routine written and oral advice with respect to Town matters; preparation and/or review of RFPs, contracts and other Town documents; and routine monitoring of litigation that is handled by attorneys other than those of Murtha Cullina. The retainer covers the services of Town Attorney, and such other members of Murtha Cullina as the Town Attorney determines to be appropriate. The Town Attorney is responsible for the coordination and execution of all work performed by Murtha Cullina.

For legal services not covered by the retainer, hourly billing rates for attorneys will remain at \$250.00. The hourly rate for paralegals will remain at \$160.00 throughout the term. The services that are subject to hourly rates will continue to include, without limitation: (a) litigation (other than litigation before Town administrative bodies), court appeals, and enforcement actions on behalf of the Town; (b) the incremental time on any single project that requires more than 25 hours of attorney work, including such items as a large building project or a complete review of the Town's benefits plan. Non-retainer work will also include legal work (c) performed with respect to projects that will be capitalized by the Town, and (d) as to which the Town will be reimbursed by the federal or state governments or by third parties such as developers and beneficiaries of tax abatements.

No charges shall be made for routine photocopying, long distance telephone calls, secretarial services, and faxes. The Town will be billed for outside photocopying services (i.e. for large jobs), deliveries, mileage charges for firm travel, and out-of-pocket disbursements (including charges for computer-based research).

For matters not covered by the retainer, lawyers would continue to charge one-half of the hourly rate for travel time between the Town and the firm's Hartford or New Haven offices.

Discussion

Mr. Slocum commented on the very good legal service from Murtha Cullina LLC and the firm serving Cheshire well. In particular, he commended Attorney Smith for his professional services to the Town.

VOTE The motion passed unanimously by those present.

S. Status of the FY 17-18 Operating Budget.

The Council was informed by Town Manager Milone that two education grants have been reduced – Excess Cost Sharing Grant \$364,329 reduction and ECS grant reduced by \$132,444. Total reduction of \$496,773. The total revenue shortfall from the State is now at \$1,163,417. Mr. Milone's memo of February 9th showed a potential surplus of \$1,876,310, and with these additional reductions in State funding this projection becomes \$1,394,767.

Last week Mr. Milone met with Supt. Solan on the two education area reductions. Supt. Solan indicated the DOE could absorb the \$132,444 revenue loss, but could not absorb the \$364,329 revenue loss in the Education Cost Sharing Grant.

Sheet 9-S – Mr. Milone referred to this February 13th analysis submitted to the Council.

Finance Director Jaskot is preparing the quarterly report which will have line by line account of how things look. There are construction projects which will generate additional \$280,000 in building permits.

T. Approval of Cheshire Police Union Contract (possible executive session)

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 Reports – in packets.
- Financial Documents Distributed – BOE Adopted Budget and FY 2017 Audit. BOE not proposing any surplus in this fiscal year, and this was an oversight on the part of BOE. Mr. Milone reminded Supt. Solan that the BOE identified \$466,000 plus another \$132,000.
- FY 2019 Proposed State Municipal Grants – continued bad news from where the Town is with the State budget; total loss of State revenue this year and next year is at \$1,419,289.
- Chapman Property/Proposed Walking Path – a map of the property was in the packets, showing outline of the trail and design; there will be a fence near the driveway; all entry is from the pool area; parking will be back of Bartlem Park; the Stonegate members met with PW Director Noewatne regarding moving the trail back from their boundary. The path is about ½ mile long, 9 feet wide, will have millings on the entire path, and with clear, good weather the crews will begin working on the path.
- Building Dept. Permit Software – the department has new software; permits can be taken out on line, from home or office.
- Landfill Solar Farm – moving forward to completion.
- Tree Trimming Program – the 2018 Eversource program is underway. There is a color coded map showing areas of clearing; this is a \$1M project of clearing with 95 miles of work through June 2018.
- Arisco Farm Pesticides/Chemicals Listing – the list was received and is consistent with what is acceptable.

- Narcan Training – February 26th, 6-8 p.m. in Town Hall Council Chambers.
- Town Manager Transition – Mr. Milone has met with Sean Kimball; dialogue has started with plans for periodic meetings; Mr. Kimball will meet with Town staff on February 28th in Town Hall and spend ½ day in the building; there will be separate meetings for Mr. Kimball at Town satellite offices. Mr. Milone advised there are plans to work on a strategy for he and Mr. Kimball to co-exist and move plans for the Town forward.
- Upcoming meetings – Ordinance Review Committee, February 20, 2018, 7:00 p.m. and Audit Committee Meeting February 21, 2018, 7:00 p.m.
- Town Hall closed on Monday, February 19th for President's Day.

11. REPORTS OF COMMITTEES OF THE COUNCIL.

A. Chairman's Report

- i. Referral of Clerk of Council appointment to the Personnel Committee.**
- ii. Referral of building permit fee waiver for handicapped accessibility renovations to the Ordinance Review Committee.**
- iii. Referral of part-time vacant positions in Recreation, Town Clerk, and Library to the Budget Committee.**
- iv. Request for discount for veterans for Mixville Park passes to the Budget Committee.**

B. Miscellaneous

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports

CPFA – Ms. Flynn-Harris reported on the upcoming ArtsDay at Cheshire Academy, Sunday, March 18th, 1-4 p.m. and theme of “Look Up”.

B. Appointments to Boards and Commissions

13. TOWN ATTORNEY REPORT AND COMMUNICATIONS

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

MOVED that the Town Council approve the following appointments and reappointments:

Beautification Committee – reappointments: Pauline Cacace (R) term of office 2/13/18 to 1/31/20; William Bonominio (R) term of office 2/13/18 to 2/31/20; William Meyerjack (R) term of office 2/13/18 to 1/31/20; Janet Presnick-Lyon (R) term of office 2/13/18 to 1/31/20.

Building Code of Appeals – reappointments: Richard Mouris (R) term of office 2/13/18 to 1/31/22; Daniel Mahieu (R) term of office 2/13/18 to 1/31/11.

Economic Development Commission – reappointments: William Stanley (R) term of office 2/13/18 to 1/31/22; Daniel O’Connell (R) term of office 2/13/18 to 1/31/22; Peter Nichols (R) term of office 2/13/18 to 1/31/22.

Library Board – reappointments: Dalena Desena (R) term of office 2/13/18 to 1/31/22; Mark W. Hostage (R) term of office 2/13/18 to 1/31/22; Kathy Nankin (R) term of office 2/13/18 to 1/31/22.

Parks & Recreation Commission – reappointments: Karen Bertoni (R) term of office 2/13/18 to 1/31/22.

Performing and Fine Arts Committee – reappointments: Jill Veiga (R) term of office 2/13/18 to 1/31/22; Joyce Karklel (U) term of office 2/13/18 to 1/31/22.

Planning and Zoning Commission (alternate) – new appointment: Donald Walsh (R); replacing Jeff Natale; term of office 2/13/18 to 12/2/19.

Prison Advisory Committee – reappointments: Trip Sanders (R) term of office 2/13/18 to 1/31/20; Margaret Rogers (R) term of office 2/13/18 to 1/31/20.

Public Building Commission – reappointments: Philip Bowman (R) term of office 2/13/18 to 1/31/22; Art Crooker (R) term of office 2/13/18 to 1/31/22; Mark Nash (R) term of office 2/13/18 to 1/31/21.

Retirement Board – reappointments: Mark Izzo (R) term of office 2/13/18 to 1/31/22.

Youth Services Committee – reappointments: Eric Gunther (R) term of office 2/13/18 to 1/31/20; Walter Gayeski (R) term of office 2/13/18 to 1/31/22.

Water Pollution Control Authority – reappointment: Steve Carroll (R) term of office 2/13/18 to 1/31/22.

Zoning Board of Appeals (Alternate) – new appointment: Thomas A. Selmont (R); replacing Jacqueline Cianci; term of office 2/13/18 to 12/2/19.

VOTE The motion passed unanimously by those present.

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

MOVED that the Town Council approve the following appointments and reappointments:

Building Code Board of Appeals – reappointment: James Doheny (D) term of office 2/13/18 to 1/31/22.

Human Services Committee – new appointment: John Nann (D); replacing Deb Kelleher; term of office 2/13/18 to 1/31/22.

Library Board – new appointment: Harold Kramer (D); replacing Carol DiPietro; term of office 2/13/18 to 1/31/22.

Parks and Recreation Commission – reappointment: Paul Fracasse (D); term of office 2/13/18 to 1/31/22.

Performing and Fine Arts Committee – reappointment: Monique D’Onofrio (D); term of office 2/13/18 to 1/31/22; Youchung Torok (D) term of office 2/13/18 to 1/31/21; New appointment: Katie Giampietro (D); replacing Jackie Townes; term of office 2/13/18 to 1/31/21.

Public Building Commission – reappointment: James McKenney (D); term of office 2/13/18 to 1/31/22.

Water Pollution Control Authority – reappointment: Thomas Scannell (D); term of office 2/13/18 to 1/31/21.

Youth Services Committee – new appointment: James Jinks(D); replacing Kimberly Turret; term of office 2/13/18 to 1/31/20.

Chairman Oris noted corrections to appointment terms as follows:

Cheshire Housing Authority, Jon Fischer, term of office should state “1/20/18”, and Zoning Board of Appeals, Jacqueline Cianci, term of office should state “12/2/19”.

VOTE The motion passed unanimously by those present.

14. COUNCIL COMMUNICATIONS

A. Letters to Council.

Chairman Oris reported on a letter to the Town Council from Ray Squier. Mr. Oris commented on the Council appreciating and enjoying Mr. Squire's letters, which are enlightening and fun to read. He commented on missing Mr. Squier's attendance at Council meetings. On behalf of the Council, Mr. Oris wished Ray Squier a Happy 90th Birthday.

B. Miscellaneous

3. ITEMS FOR EXECUTIVE SESSION

A. Personnel Matters

B. Negotiations, pending claims and litigation

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

MOVED that the Town Council enter Executive Session at 9:00 p.m. to include Town Manager Milone, Finance Director Jaskot, Personnel Director Zullo, Police Chief Dryfe, Deputy Police Chief Pichnarcik, to discuss Personnel Matters, Negotiations, Pending Claims and Litigation.

VOTE The motion passed unanimously by those present.

Councilors Bowman and Falk left Executive Session at 9:10 p.m.

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

MOVED to exit Executive Session at 9:31 p.m.

VOTE The motion passed unanimously by those present.

T. Approval of Cheshire Police Union Contract (possible executive session)

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

BE IT RESOLVED, that the Town Council approves Resolution #021318-19.

RESOLUTION #021318-19

BE IT RESOLVED, that the Town Council approves the collective bargaining agreement between the Town and the Cheshire Police Union for the term July 1, 2016 to June 30, 2020, pursuant to the terms and conditions as presented and attached.

VOTE The motion passed unanimously by those present.

15. ADJOURNMENT

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

MOVED to adjourn the meeting at 9:33 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk