

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON
TUESDAY, JANUARY 15, 2019 AT 7:00 P.M. 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; Timothy Slocum; Peter Talbot; David Veleber.

Absent: Sylvia Nichols and Thomas Ruocco

Staff: Sean Kimball, Town Manager; Al Smith, Town Attorney; Arnett Talbot, Assistant Town Manager; James Jaskot, Finance Director; Police Chief Neil Dryfe; Michelle Piccerillo, Human Services Director; George Noewatne, PW Director

Guests: Lt. Michael Durkee, Employee of the Year; Mark Nash, PBC Chairman; Tircia Dahl, Yale School of Medicine, Dept. of Psychiatry.

Chairman Oris called the meeting to order at 7:01 P.M.

1. ROLL CALL

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

2. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

3. ITEMS FOR EXECUTIVE SESSION

A. Claims and litigation

B. Land acquisition

4. PUBLIC COMMUNICATIONS

**A. Recognition of 2018 Connie Wallace Employee of the Year
Recipient Michael Durkee.**

Town Manager Kimball explained that this recognition honors a town employee with the Connie Wallace Award. The person is chosen by his peers and the winner is voted by all town employees. Mr. Kimball introduced Lt. Durkee as the "2018 Employee of the Year".

Chairman Oris read the Certificate of Recognition for Lt. Durkee as the 2018 Employee of the Year, which cited Lt. Durkee's outstanding performance of his duties as a police officer, his service to the Cheshire Police Department and the community. This is a well deserved honor for his efforts every day and heroic actions in a hostage and firearms incident in 2018. On behalf of the Town Council and the Cheshire community, Mr. Oris congratulated Lt. Durkee on receiving this award.

B. Youth Vaping Presentation

Trisha Dahl from Yale School of Medicine, Dept. of Psychiatry, gave a presentation on Vaping/E-cigarettes and Our Youth. A copy of the power point presentation is attached to these minutes.

Ms. Dahl explained the research studies undertaken by her and her staff over the past five years through a \$20M government grant. The Yale group is the only one in the country working with teens and vaping. She said there is an increase in adolescent vaping...the largest substance abuse recorded in many years.

The following information was included in the presentation.

In the past 30 days vaping by teenagers - Grade 8 students – increased by 6.1%; Grade 10 students – increased by 16%; Grade 12 students – increased by 21%. One in five high school seniors is vaping nicotine in the past month.

After alcohol and marijuana, vaping is the 3rd most common substance abuse among teenagers. Ms. Dahl displayed and explained the various e-cigarette devices, and their contents. The chemicals in these devices include propylene glycol, vegetable glycerin (clouds), nicotine, flavors, and other chemicals.

The difference between a “juul” and other devices is that a juul contains salt based nicotine, and other devices contain free base nicotine in its purest form. When salt is added, there is also benzoic acid added; when heated it creates a chemical called benzene, a known carcinogen. Two puffs of a juul equates to 59mg of nicotine per ml (one pack of cigarettes); the juul has nicotine flavors and chemicals; many of the flavors contain ethanol and alcohol, many chemicals that make up the flavors, cause inflammation in the lungs and toxins in the body.

The devices are nicotine addictive; change the brain chemistry and cause deficits; they release dopamine into the brain which causes an increase in the natural dopamine in the body; changes are immediate; the heart is activated and beats faster; memory and attention and learning are affected; the lungs are damaged and affected by the chemicals with breathing problems; the stomach is affected and there is an increase in acid reflux; there are changes in the reproductive organs and pancreas (increase in sugar levels). There are oils left behind in the body from constant inhalation; there are long term effects; and there is no way to treat this in the medical field.

The biggest myth about these devices and vaping is that it is just “water vapor”. This is not true; it is an aerosol with droplets not absorbed in the atmosphere; they remain until they fall and hit the surface. Metallic particles are being found in the body which are being released from the metal coils in the devices.

Side Effects – dry mouth/lips, sore throat, headaches, nausea, racing pulse; excessive amount of vegetable glycerin in the body converts to black acid causing muscle pain, cramps, aches; with inhaling propylene glycol there is a different reaction than eating it in food products; there is second hand smoke from these devices as droplets remain in the air; nicotine is an irritant on the fingers, and touching the eyes causes damage; there is an increase in emergency room visits from young children finding pods or e-liquid vials, and drinking them, which is very dangerous.

Studies in the high schools find that one in six kids start out vaping and move onto to conventional cigarettes. Vaping marijuana in high school is very high throughout the State of Connecticut. There is no medical purpose to vaping marijuana. Companies are spending \$200M a year to advertise vaping to adolescents...as a healthy “alternative” to smoking cigarettes. The e-cigarettes have never been approved in the U.S. by FDA as a smoking cessation technique, so it cannot be marketed in that way.

Under Connecticut law it is illegal to use, purchase, possess or sell e-cigarettes to anyone under age 18. Fines are \$50 for first offense; \$100 for second offense; and anyone selling these devices gets a fine of \$200 for first offense; \$500 for each additional offense. Schools have different ways of implementing punishment such as suspension, referral to the JRB, and classes. There is no cessation program yet, and Yale is working on one. It is hoped the FDA will find a solution to this problem.

There is more funding for advertising juul/vaping than funding for educating students and the public about the dangers and damage of juul vaping. Big tobacco companies have purchased the juul devices and are spending more money to advertise them. There is no legislation for juul vaping.

Ms. Flynn-Harris commented on the large lawsuits against tobacco companies which helped with education against using cigarettes. She asked if this type of civic action on e-cigarette devices would get money of these companies for educating the public.

At this time, Ms. Dahl said companies are not targeting towards kids, and nothing shows kids how to do vaping.

Chairman Oris stated the importance in timing of this presentation. The Council will be discuss State legislation with Cheshire’s Legislators next month. Some language will be crafted about vaping to add to the Legislative Package. He noted kids do not know what they are getting into, and the Council will advocate for the community on this important problem.

There were some questions and comments from the public and Ms. Dahl responded to them.

Ms. Flynn-Harris talked about the JRB referrals, and if students provide information on where they purchase cigarettes or devices so it can be reported to the authorities.

Ms. Piccerillo said this is asked of the students, but they do not answer with any information.

There are more restrictions needed for purchasing juul, and Ms. Dahl said kids know their way around purchasing. It is about \$15 for four pods, and more stores are up-charging without requiring identification.

A question was raised by a member of the public about raising the age to 21 (as was done in Hartford) for purchase of cigarettes in Cheshire. Mr. Oris said this could be a consideration for Cheshire.

With high school students hooked on vaping and parents needing information on helping students, without consequences, Ms. Dahl recommended parents discuss vaping, illicit information to the kids on the long term effects, health problems, and carcinogens being emitted by vaping. The Yale study is working on presentations to middle school students. School systems are addressing the issues and problems and consequences within student handbooks.

Ms. Piccerillo informed the Council and the public that the Human Services Department staff is working closely with the school system, and all consequences include support services for the students. A recovery program for kids 16 to 18 is being now underway. The department sees about 4 kids a month and 90% of referrals a month are e-cigarette related.

Mr. Talbot thanked Ms. Dahl for the informative presentation. He commented on many towns doing something on a municipal level about the vaping issues, which are critical to the health of individuals for years to come. Mr. Talbot talked about nicotine delivery devices information, which is a good start to raising the age in Cheshire for sale of devices to age 21. He noted the Council is referring the problem of e-cigarettes and vaping to the Ordinance Review Committee.

For nicotine delivery devices, Ms. Dahl said the municipalities could raise the age to 21. The electronic nicotine delivery system encompasses a lot. The Town of Wallingford Council hopes to pass an ordinance in February, and looked at and used some of the Hartford wording. In the CDC survey on vaping, many kids do not consider juul as vaping, and were not included in the data. She said the data

must encompass everything, and the electronic nicotine delivery system should be included.

Regarding vaping by students, Mr. Veleber asked if there are any signs that parents should look for, i.e. vaping with a hoodie sweatshirt and blowing the smoke into the sweatshirt...i.e. so the clouds are not seen.

According to Ms. Dahl, it is not easy as we'd like it to be. She said vaping is everywhere, and the best part is education with the hope that the effects cited will be enough to stop kids from vaping.

Chairman Oris thanked Ms. Dahl for the excellent and informative presentation to the Cheshire community.

C. Public Comments

J.R. Lovelace, 45 Carter Lane, Plantsville CT, President of Junior Football and Cheerleading programs, addressed the Council on the possible reduction of recreation fees for school facilities. He thanked the Council and Town Manager Kimball for their attention to the matter which will benefit Cheshire youth programs. He encouraged the Council to support the reduced fees as the current high fees have an impact on the financial aspects of the organizations. Mr. Lovelace commented on the higher costs of BOE janitorial fees for use of school buildings. With reduction of the Parks and Rec fees, more programs will be able to take advantage of the lower costs rather than the higher BOE janitorial fees. The youth programs are willing to partner with the Town and BOE, and look forward to further conversations to support youth programs.

Chairman Oris said the Council has a proposal, but there is not much the Council can do if the BOE requires a certain level of staffing at events. The BOE is encouraged to reduce fees for higher end services. He does not understand why janitorial services are required for cheerleading events, and the Council will work with the BOE on this matter. Mr. Oris noted that the Council has no jurisdiction or authority over BOE decisions.

Kristen Hayes, 373 Hayledge Court, thanked the Council for its interest and support of the youth sports programs. She noted it is taking longer on the BOE side, and she has sent suggestions to Mr. Masciana. Ms. Hayes requested the Council to approve the minimum hourly rate, which is a step in the right direction.

Town Manager Kimball informed the Council he has spoken with Mr. Masciana on the issue. He was told the BOE is completing its analysis, and will continue to look for reasonable options to move forward.

Robert Giza, 860 Wallingford Road, asked the Council if anything is being done about the issues and problems on Wallingford Road. He said the property owner has not stopped anything and trucks are running down the street and dumping. Mr. Giza asked for an unmarked police car to sit in his driveway and see what is going on.

Mr. Kimball reported that the property owner was given a notice of violation on November 30, 2018, with 30 days to stop the activity which stopped on December 30, 2018. He stated the town staff is taking the matter seriously and is actively handling the situation.

Attorney Smith has spoken with town officials about the history of this matter. Options are being explored to present to the court, and everything will be followed up.

It was stated by Chairman Oris that the Council has told Mr. Kimball and staff about the importance of this matter. It is not being taken lightly, and staff is investigating to determine what the property owner is doing in violation. Mr. Oris was on the road for an hour one morning but did not see anything happening. The property owner was given a summons; corrected things for a period of time; and now something else is transpiring that could be a violation. Mr. Oris expressed disappointment on the length of time involved for this matter. If the property owner is not in violation, the town will inform Mr. Giza. If there is a violation, the town will do something, possibly file a lawsuit, going through the required process. The Town Manager and Town Attorney will do everything possible to assist with Mr. Giza's concerns.

There was a brief discussion about the illegalities and time line involved. Attorney Smith explained things depend on the violation. A cease and desist order can be judicially issued, which is a fast track for enforcement action.

Mr. Veleber asked about documentation, i.e. the number of truck trips caught on video or photographs. Anything documented of trucks leaving or entering the property would be helpful.

Ms. Flynn-Harris talked about running a business, whether it is permitted by zoning regulations, and this being a basic violation of zoning.

The property owner has filed a complaint with the town and Mr. Bowman said the town must find a way to ramp things up and resolve the matter.

It was noted by Mr. Slocum that the problem impacts other Wallingford Road residents. If fill is being brought into the property it comes under the PZC purview and requires a permit.

Mr. Kimball stated there must be proof to bring the property owner to court on this matter.

5. APPROVAL OF MINUTES – Regular Meeting December 11, 2018.

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

MOVED to approve the minutes of December 11, 2018 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

6. CONSENT CALENDAR

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

BE IT RESOLVED, that the Town Council approves Resolution #011519-1

RESOLUTION #011519-1
CONSENT CALENDAR FOR JANUARY 15, 2109

BE IT RESOLVED, that the Town Council approves the Consent Calendar for January 15, 2109 as follows:

- A. Acceptance and appropriation of a \$100 donation from Stephen and Lauren Fisher to the Human Services Gift Account for general purposes.
- B. Acceptance and appropriation of a \$500 donation from Michael and Marilyn D'Angelo to the Cheshire Fuel Bank Account.
- C. Acceptance and appropriation of \$2,000 from the Artsplace Art Market Proceeds to the Cheshire Performing and Fine Arts Gift Account for Scholarships.
- D. Acceptance and appropriation of a \$109 donation from the November Town Employee Dress Down Fund to the Cheshire Fuel Bank Account.
- E. Acceptance and appropriation of a \$50 donation from Cathleen Devlin To the Cheshire Fuel Bank Account.
- F. Acceptance and appropriation of a \$70 donation from an anonymous donor to the Human Services Gift Account for general purposes.

- G. Acceptance and appropriation of a \$50 donation from an anonymous donor to the Human Services Gift Account for general purposes.
- H. Acceptance and appropriation of a \$1,000 donation from Temple Lodge AF AM to the Cheshire Fuel Bank.
- I. Acceptance and appropriation of a \$5 donation from an anonymous donor to the Human Services Gift Account for general purposes.
- J. Acceptance and appropriation of a \$1,857.60 donation from Collette Travel to the Human Services Gift Account for the Senior Center.
- K. Acceptance and appropriation of \$300 from the Thursday Evening Setback League to the Human Services Gift Account for the Senior Center.
- L. Acceptance and appropriation of a \$200 donation from Rose M. Jones to the Human Services Gift Account for the Senior Center.
- M. Acceptance and appropriation of a \$30 donation from Vanda O'Rielly in memory of Velma Hague to the Library Gift Account to be used for general purposes.
- N. Acceptance and appropriation of a \$30 donation from Martin Cobern to the Library Gift Account to be used for general purposes.
- O. Acceptance and appropriation of a \$30 donation from Barbara Rua in honor of Michael White to the Library Gift Account to be used for general purposes.
- P. Acceptance and appropriation of a \$30 donation from Barbara Rua in honor of Cora Elizabeth White to the Library Gift Account to be used for general purposes.
- Q. Acceptance and appropriation of a \$250 donation from Cathleen Devlin in honor of Joan Devlin to the Library Gift Account to be used for general purposes.
- R. Acceptance and appropriation of a \$16 donation from Donald Button to the Library Gift Account to be used for general purposes.
- S. Acceptance and appropriation of a \$150 donation from James and Jayne O'Brien to the Library Gift Account to be used for general purposes.

- T. Acceptance and appropriation of a \$50 donation from Edward Kania in memory of Janice Miner to the Library Gift Account to be used for general purposes.
- U. Acceptance and appropriation of a \$6,000 JAG Local VCP Grant for proactive patrols to combat auto theft and larceny from motor vehicles.
- V. 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 homeownership opportunities, and be allowed to make free choices regarding housing locations; 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.

VOTE The motion passed unanimously by those present.

7. ITEMS REMOVED FROM CONSENT CALENDAR

8. OLD BUSINESS

A. Discussion and possible action re: Recreation Fees for booking of School facilities.

MOTION by Mr. Bowman; seconded by Mr. Veleber.

BE IT RESOLVED, that the Town Council approves Resolution #011519-2

RESOLUTION #011519-2

BE IT RESOLVED, that the Town Council sets the fee for use of Town and School facilities by Group II organizations as identified in Town Building Use Policy and listed below for rooms book and staffed by the Recreation Department at \$15.00 per hour.

Local 501(c) 3 organizations
Local recognized civic and service organizations
Local athletic or sports-affiliated groups

Discussion

Mr. Bowman does not believe these fees should be a burden on the community or youth programs using town facilities, as these people are taxpayers. He cited the importance of keeping youth involved in sports, arts, and other activities. He understands the BOE must vet the fees in their own way; the proposed rate is a raw cost for the town but a great start; and future resolution could come before the Council.

Stating his support of the resolution, Mr. Talbot (Parks and Rec Council liaison) commented on the burden on the Recreation Department, and the need to get the BOE moving on this issue in a timely manner. He explained that, with the lower fee, groups will now be coming through the Recreation Department to book events at school facilities. Going through the BOE for bookings, groups could be liable for the \$50 to \$65 hourly custodial fee.

Ms. Flynn-Harris supports the resolution as a first step, with the BOE getting their study to the Council, possibly prior to the February meeting.

Upon reviewing the resolution again, Mr. Bowman noted there is no effective date, and this information should be in the resolution. He supports starting the new fee with an earlier date.

The Council discussed an effective date for the lower fee, and people now going through the Recreation Department to book events at school facilities...at \$15 per hour...versus the BOE assessment of a janitorial fee of \$50 to \$65 per hour for use of school facilities. There was discussion about the \$15 fee in effect to benefit groups with unpaid fees for services rendered, i.e. retroactive forgiveness. There must be fairness to all the organizations.

Attorney Smith asked for clarification... that anyone who has not paid fees (for any or no reason) would get the benefit of this retroactive forgiveness. He

advised that the Council must think about the extent to which amnesty is applied to certain groups for certain reasons...and not other groups for other reasons.

Following the discussion, the Council selected the effective date of October 1, 2018. Mr. Bowman and Mr. Veleber (maker and seconder of the motion) agreed with this amendment to the resolution.

Mr. Talbot commented on some groups booking through the Recreation Dept. and others through the BOE. Once this resolution is effective, groups will be booking more through Recreation than BOE or use on-line reservations.

For groups needing a higher level of services and school buildings, Mr. Oris said they would book through the BOE at higher rates. For recreational bookings, these are our kids and taxpayers and services paid for by parents. The Council is going the best way for youth and groups with the Recreation Dept. Mr. Oris requested the BOE to come to the table on these issues.

The amended resolution reads as follows:

RESOLUTION #011519-2

BE IT RESOLVED, that the Town Council sets the fee for use of Town and School facilities by Group II organizations as identified in Town Building Use Policy and listed below for rooms book and staffed by the Recreation Department at \$15.00 per hour. **The effective date is October 1, 2018.**

Local 501(c) 3 organizations
Local recognized civic and service organizations
Local athletic or sports-affiliated groups

VOTE The amended motion passed unanimously by those present.

9. NEW BUSINESS

A. Approval of successor lease for former Casertano property.

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

BE IT RESOLVED, that the Town Council approves Resolution #011519-3

RESOLUTION #011519-3

BE IT RESOLVED, that the Town Council approves the successor Lease Agreement for January 1, 2019 through December 31, 2109 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. Slocum said Mr. Arisco is an ongoing tenant making good agricultural use of town property on this 21 acre farm land. The town and tenant have a great relationship, and it is good to have a farmer making use of this land.

VOTE The motion passed unanimously by those present.

B. Conflict of Interest notification and disclosures.

Town Manager Kimball reviewed the ordinance Section 9-3 of the Town Charter and Section 10-1 "Conflicts of Interest and Standards of Conduct". This ordinance requires all Town appointed and elected officials to disclose, on an annual basis, any potential conflicts of interest. The ordinance also requires the Town Manager to distribute this ordinance section to every public officer and employee of the Town. The annual reminder is disseminated to all individuals identified in the "Conflict of Interest" ordinance. Each Town employee and all elected and appointed officials on Boards, Commissions, Committees has, or will, receive the annual disclosure reminder.

A copy of the ordinance is attached to these minutes.

C. Approval of bidding requirements.

MOTION by Mr. Slocum; seconded by Mr. Veleber

BE IT RESOLVED, that the Town Council approves Resolution #011519-4

RESOLUTION #011519-4

BE IT RESOLVED, that pursuant to Section 7-8 (C) (1) of the Town Charter, the Town Council increases the requirements for sealed bids for February 1, 2019 through January 31, 2020 to a \$15,000 bid limit for non-construction related services and a \$30,000 bid limit for construction related services, and

BE IT FURTHER RESOLVED, that, in accordance with Section 7-8 (C) (9) and Section 7-9 (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 State of Connecticut Department of Administrative Services and (2) through or in conjunction with other municipalities qualified bids/RFPs, 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 Governments 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 this is in keeping with the inflation increase, with non-construction bid limit of \$15,000 and construction bid limit of \$30,000.

VOTE The motion passed unanimously by those present.

D. Discussion and possible approval of Fund Balance Policy

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

BE IT RESOLVED, that the Town Council approves Resolution #011519-5

RESOLUTION #011519-5

BE IT RESOLVED, that the Town Council approves the revised Fund Balance Policy as attached.

Discussion

The formal policy was introduced in 2008-2009, and Mr. Slocum advised there has not been a formal review of the policy in many years, and the minimum balance is 8% to 9%. Over time the town has been operating in excess of 9.25%, which is the new proposed percentage. The Budget Committee met with the financial advisor, Mr. Spoerndle, Mr. Jaskot and Mr. Kimball. The committee discussed and agreed on a revised fund balance policy, 9.25% as a good fund balance percentage, and review of the policy every two (2) years.

Mr. Kimball said the Council appropriates some fund balance for the following budget year, and the number is net of the appropriation.

Ms. Flynn-Harris supports the 9.25% and fund balance review every two years.

Mr. Jaskot was an advocate for the revised fund balance policy. He reported Cheshire is on the lower side with its fund balance compared to other towns. Mr. Jaskot advised the town will have an upcoming bond sale.

VOTE The motion passed unanimously by those present.

E. Discussion and possible approval of Legislative Recommendations.

Mr. Veleber briefly reviewed the proposed legislative recommendations which included the following issues. The legislative package will be discussed with the State Legislative Delegation who will be invited to the February Council meeting.

Juvenile Justice Reform
Prevailing Wage
Binding Arbitration
Tax Exemption on Manufacturing, Machinery, Equipment and Commercial Motor Vehicles
Elderly/Disables (Circuit Breaker) Tax Relief Program
Small Town Economic Assistance Program (STGEAP) Grant Program
Business Development
Compensation for Police Security During Strikes

Chairman Oris invited members of the public to add items to the list for discussion with the Legislators.

F. Amendments to Elderly Tax Relief Programs

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

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

BE IT RESOLVED, that the Town Council approves Resolution #011519-7

RESOLUTION #011519-7

BE IT RESOLVED, that the Town Council calls for a public hearing to consider an amendment to the Elderly Tax Relief Ordinance Section 17-6.

Section 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, 2018 for FY 2019-2020 and for each year after until amended or repealed.

VOTE The motion passed unanimously by those present.

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

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MOTION by Mr. Oris; seconded by Mr. Slocum.

BE IT RESOLVED, that the Town Council approves Resolution #011519-8

RESOLUTION #011519-8

BE IT RESOLVED, that the Town Council calls for a public hearing to consider an amendment to the Elderly Tax Freeze Ordinance Section 17-15.

Section 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 such statute, receive property tax relief as set forth in said Statute for taxes due on the Grand List of October 1, 2018 for Fiscal Year 2019-2020, and for each year thereafter until amended or appealed.

VOTE The motion passed unanimously by those present.

iii. Approval of income levels for the 2018 Local Elderly Property Tax Credit Program.

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

BE IT RESOLVED, that the Town Council approves Resolution #011519-9

RESOLUTION #011519-9

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) and 17-6 (a) (3) for the 2018 Grand List.

(The tax credits and qualifying income document is attached to these minutes)

VOTE The motion passed unanimously by those present.

G. Award of contract to New England Masonry & Roofing Company for \$19,064 roof repairs at the Cheshire High School.

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

BE IT RESOLVED, that the Town Council approves Resolution #011519-10

RESOLUTION #011519-10

BE IT RESOLVED, that the Town Council approves a waiver of bid and the award of a contract to New England Masonry & Roofing Company for two sections of roofing replacement at Cheshire High School as part of the Districtwide Roofing capital project, for a total amount of \$19,064, pursuant to the recommendation of the Public Building Commission.

Discussion

Mr. Bowman explained that this roof work is for two small sections of the high school. New England Masonry has done lots of work for the town which was successful and satisfactory.

VOTE The motion passed unanimously by those present.

H. Approval of Doolittle Lavatory project design and authorization to go to bid.

MOTION by Mr. Bowman; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #011519-11

RESOLUTION #011519-11

BE IT RESOLVED, that the Town Council approves the final design for the Doolittle School lavatory upgrades capital project, and authorizes the Public Building Commission to go to bid for construction for said project.

Discussion

Mr. Bowman stated this is an ongoing project to upgrade bathrooms throughout the school district. This is authorization to go out to bid for the project.

Mark Nash, PBC Chairman, informed the Board that the BOE is satisfied with the design, which turned out to be economical, as much of the structural work was eliminated. The project is working with existing bathroom wall areas, and this will work out well for the school staff and students.

VOTE The motion passed unanimously by those present.

I. Approval bid waiver and award of contract to Independent Materials Testing Laboratory for \$3,500 for materials testing at the Cheshire High School Storage Building.

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

BE IT RESOLVED, that the Town Council approves Resolution #011519-12

RESOLUTION #011519-12

BE IT RESOLVED, that the Town Council approves a waiver of bid and authorizes the award of a contract for \$3,500 to Independent Materials Testing Laboratory to perform testing services for the Cheshire High School Storage Building per the recommendation of the Public Building Commission.

Discussion

Mr. Bowman advised this action is required for the storage facility. Special inspections are required by the owner, not the contractor, for transparency purposes. This is standard and will not cost in excess of the \$3,500 for the testing. He said PBC has started to look at how things are done for a better product, better oversight, and testing can be waived.

A question was raised by Ms. Flynn-Harris about this cost being part of the original project when put together and bid.

Going forward, Mr. Bowman said it would be part of the original project costs. The PBC is looking at how things were done in the past, and effectuating change that will be better for the town, providing better oversight, and this is one step in the direction where the Council could waive this testing. This is a grounds up new building so this testing is used. PBC will look to the Council to appropriate funds for oversight of many projects in order to get best values, there is daily oversight, and decision making by people who represent the town.

If we are doing this as standard procedure, Mr. Talbot said the costs should be wrapped up into the ultimate project numbers.

Stating his agreement on doing this as standard procedure, Mr. Talbot said the cost should be in the ultimate number of the project. Otherwise, the public will think the Council is nickeling and diming on these things. Everything, including oversight, should be wrapped into the project from the start so the wrong public perception is not out there.

It was explained by Mr. Nash that this project is a “grounds up project” and requires more inspection. The testing is protecting the town’s investment with certification of correct soils, getting the concrete paid for, the rebar is done the right way. It is a series of tests that the contractor does not engage in...it is an independent third party providing results directly to the town and not the contractor. It is the town’s best interests in this type of project. If it is wrapped as a general condition it would muddy the water with other projects and is not always necessary. The cost would be part of the budget, not the contract.

Mr. Oris stated this cost should have been part of the project budget from the beginning, day #1, and agrees it should have been part of the budget. He

understands the validity of the testing, and going forward we must make sure it is part of the budget.

This actually looks like the town knows what it is doing and Ms. Flynn-Harris said it is an important step. It should be part of the plan and numbers when the project went out.

Mr. Bowman said it was not a requirement of the project, but an option from the PBC. The Council should be brought up to date in the near future. At the last PBC meeting, which he attended, there were many questions about the process of building our buildings, how renovations are done. Mr. Bowman said it is incumbent on the Council to have a joint meeting with the PBC for a better understanding of what we are dealing with, with a dialogue to understand how projects are done and different types of construction methods available to the town. Mr. Bowman requested Town Manager Kimball have legal counsel at the joint meeting for ADA documents and requirements and understanding by all. He said a new set of standards and parameters are needed as we go forward.

VOTE The motion passed unanimously by those present.

J. Approval of building permit fee waiver for handicapped veteran accessibility renovations at 1137 Fox Hill Road.

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

BE IT RESOLVED, that the Town Council approves Resolution #011519-13

RESOLUTION #011519-13

BE IT RESOLVED, that the Town Council, pursuant to the Cheshire Code of Ordinances Section 3-3 (d)(2) hereby approves the request for waiver of building permit fees for qualifying work at 1137 Fox Hill Road.

VOTE The motion passed unanimously by those present.

K. Request for Planning and Zoning Commission Section 8-24 review of The proposed Interchange Zone Tax Increment Financing District Master Plan.

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

BE IT RESOLVED, that the Town Council approves Resolution #011519-14

RESOLUTION #011519-14

BE IT RESOLVED, that the Town Council refers the Interchange Zone Increment Financing District Master Plan to the Planning and Zoning Commission for an 8-24 Review.

Discussion

Mr. Veleber said this is for an 8-24 Review, referral to the PZC to insure the plan is not in violation of the Plan of Conservation and Development.

In an 8-24 review process by the PZC with tweaking, changes, etc. , Mr. Slocum asked if this is part of their purview, or does it dovetail the State's rule and the town's regulations. He asked if PZC has ever come back with changes, or did they just approve the plan.

As liaison to EDC, Mr. Flynn-Harris said the PBC is well represented at the EDC meetings and involved in discussions. Technically, PZC could enter an 8-24 and come back and disagree with some things because things were in conflict with the POCD. If there is no conflict with the POCD there is nothing to do. Ms. Flynn-Harris reiterated that PZC has been very supportive and involved in discussions from the beginning with EDC. Following EDC and PZC approval, the matter comes back to the Council.

Chairman Oris stated his understanding that PZC can weigh in if the plan is not in compliance with the POCD. It is his intention to have significant dialogue about this as there is much to it, understand the impacts, and how it will work.

Ms. Flynn-Harris suggested a special meeting of Council, PZC and EDC and Camoin Associates for a full explanation on the TIF.

Mr. Bowman cited Section 9-3 of the Town Charter, "Conflict of Interest Policy", and Section 10-1 of the Code of Ordinances. He will be abstaining from any discussion or dialogue on the TIF issue, as he and his family have a minor interest on properties on Highland Avenue since the 1960's.

VOTE The motion passed 6-0-1; Mr. Bowman abstained.

L. Discussion and possible action re: Town vehicle and equipment auction sales to be used towards capital purchases of replacement Town vehicles and equipment.

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

BE IT RESOLVED, that the Town Council approves Resolution #011519-15

RESOLUTION #011519-15

BE IT RESOLVED, that the Town Council approves the use of the Special Revenue Account for the auction sales and subsequent new purchases of Public Works vehicles as created by Resolution #082515-5 to include all Town vehicles and equipment sold at auction, and

BE IT FURTHER RESOLVED, that the Town Council accepts and appropriates \$15,000 in auction proceeds for a fire engine to this Special Revenue Account, to be used toward the purchase of the Engine #4 replacement.

Discussion

Mr. Slocum said the request before the Council is to extend that same program beyond the PW Dept. to all town departments for capital equipment purchases.

VOTE The motion passed unanimously by those present.

M. Authorization to hire an additional Dispatcher.

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

BE IT RESOLVED, that the Town Council approves Resolution #011519-16

RESOLUTION #011519-16

BE IT RESOLVED, that the Town Council authorizes the Town Manager to hire one additional Dispatcher for the Police Department.

Discussion

Mr. Kimball explained this is a request for funding to hire one (1) additional Dispatcher. In the current year's budget there was discussion about adding a Dispatcher in the FY 19-20 budget. Some work had to be done to clear the union negotiation issue for a Dispatcher to dispatch fire calls. We are now in a position for this additional hire, and Mr. Kimball recommends \$20,815 for the balance of this fiscal year for the Dispatcher hire. There will be funding in the CPD special revenue account to cover the costs.

VOTE The motion passed unanimously by those present.

N. Discussion re: Town Manager's Goals and Objectives

Mr. Kimball reported he has submitted his *Goals and Objectives* for FY 18-19 to the Council in accordance with Section 1(D) of his contract. On June 5, 2018 he submitted his *Goals* for FY 18-19 for review and feedback, and the Council requested he submit corresponding *Objectives* for each of the approved goals.

A copy of the Town Manager's *Goals and Objectives FY 18-19* are attached to these minutes.

Mr. Kimball stated Goals and highlighted the objectives.

Goal #1 – Financial Stability. Ensure the continued strength and stability of Town finances through disciplined fiscal management and conservative budgeting practices.

Goal #2 – Economic Development. Support strategic and targeted efforts to grow the Town’s grand list to lessen the tax burden on residents and existing businesses, while maintaining the Town’s quality of life, identity and sense of place.

Goal #3 – Town Services. Seek to improve the effectiveness, efficiency and quality of Town services with a focus on enhancing the user experience of residents, businesses and visitors.

Goal #4 – Communication, Engagement & Transparency. Support efforts to improve town-wide communication to provide reliable and consistent information and enhance citizen engagement, awareness and participation.

Goal #5 – Major Projects & Initiatives. Advance key capital projects and major initiatives as approved and recommended by the Town Council.

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

Development of the FY 2020 Town Budget – Mr. Kimball stated he is in the process of preparing this budget; department budget requests are due to him on Friday, January 18th; department meetings will begin on January 21st; transmittal date for the recommended budget to Town Council is March 10th. Town staff will be monitoring Gov. Lamont’s first budget with evaluation of the impact on Cheshire. The Governor has an additional two weeks to present his first budget; the State numbers will not be known until February 20th; the final adopted budget is not expected until close of the legislative session on June 5th. The deadline for adoption of the Town Budget is April 30th.

Chapman Property RFP and Completed Walking Trail – The response to the RFP for a park design firm for the Chapman property received six (6) proposals. The review team selected three (3) firms for scheduled interviews; the recommended firm will be reviewed by the Parks Commission for endorsement

prior to submittal to the Town Council for review and approval on February 13th. The selected firm will develop a design for the Chapman property, conduct a needs/gap analysis of all town parks, and how this property could fill those needs. It is expected there will be community input and stakeholder meetings and Council meetings throughout the process.

PW has constructed a ½ mile walking trail in a loop within the Chapman property which is now open to the public. People are encouraged to visit the property and walk this trail, which offers temporary usage while the Town develops the long term plans for this property.

Ice Rink – the rink is officially opened and located in the gravel parking lot in the rear of Bartlem Park next to the pavilion. This location provides access to permanent lighting, warm water to sooth the ice, public bathrooms inside the community pool, area for visitors to seat and watch skaters. A Family Skate Night is planned for January 16th, 5 p.m. to 6 p.m. with music, hot chocolate and pictures.

New Pool Amenities – the inflatable obstacle course is a huge hit; it will be set up on Saturdays from 12:30 p.m. to closing and Sundays from 12:30 p.m. to 4:00 p.m. The climbing wall is scheduled to arrive in the coming months.

Town Job Description Review and Updates – The Labor Management Committee is reviewing job descriptions of Town Hall union members and will make a final recommendation. The information will be referred to the Personnel Committee for action. These job descriptions have text and/or title changes with financial consequences to be included in the Town Manager’s FY 2020 budget recommendations for further consideration and possible action.

DPW Accomplishments – Mr. Kimball cited some notable and impressive accomplishments of the Engineering and Public Works employees:

- Maintainer Christopher Wrenn graduated from the Public Works Academy.
- Asst. Town Engineer Dan Bombero graduated from the Transportation Leadership Program.
- Under the leadership of Rich Kaczer, Cheshire DPW Mechanics received a 2018 CT Creative Solutions Award for the invention of a “Winter Operations Pre-Wetting System Backflush Apparatus”. The invention presentation was made by
- Senior Mechanic Tom Mancini.

Summary of Donations – October to December 2018 total donations were \$28,492; Cheshire Fuel Bank \$7,845; Cheshire Human Services \$10,419; Cheshire Library Gift Account \$ 4,270; Parks and Rec Gift Account \$5,778.

Town Hall Office Closings – Monday, January 21st, Martin Luther King Day; Tuesday February 12th, Lincoln’s Birthday.

Upcoming Meetings – Town Council Ordinance Review Committee, January 24, 2019; Regular Town Council Meeting February 13, 2019.

11. REPORTS OF COMMITTEES OF THE COUNCIL.

A. Chairman's Report

Budget Committee – Mr. Slocum noted that the budget cycle begins shortly; the BOE is working on the final version of its FY 19-20 budget.

Ordinance Review – Mr. Flynn-Harris reported the committee will meet on Thursday, January 24th.

Chairman Oris made the following referrals:

- i. Referral of potential merger of Youth Services and Human Services Committees to the Ordinance Review Committee.**
- ii. Referral of amendment of Bazaar and Raffle permits ordinance to the Ordinance Review Committee.**
- iii. Referral of Town Manager’s Goals and Objectives to the Personnel Committee**
- iv. Referral of age restrictions for sale of vaping, e-cigarette and nicotine products to the Ordinance Review Committee.**

B. Miscellaneous

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports - none

B. Appointments to Boards and Commissions

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

Chesprocott Health District – reappointment of Barbara Ecke (D), term of office 1/15/19 to 9/1/21.

Environment Commission – appointment of Thomas Hickey (D), to replace Carrie Collins White, term of office 1/15/19 to 1/31/21.

Performing and Fine Arts Committee – appointment of Kristina Endriss (D) to replace Leslie Hutchinson, term of office 1/15/19 to 1/31/20.

Prison Advisory Committee- appointment of Thomas Stretton (D) to replace Travis Daughenbaugh, term of office 1/15/19 to 1/31/20.

VOTE The motion passed unanimously by those present.

13. TOWN ATTORNEY REPORT AND COMMUNICATIONS

14. COUNCIL COMMUNICATIONS

A. Letters to Council.

Mr. Talbot read a letter into the record from a 4th District constituent regarding help for people with driveway and sidewalk winter snow removal, through a lottery system, from companies willing to participate in such a program.

B. Miscellaneous

15. ADJOURNMENT

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

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

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk