

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON TUESDAY,  
DECEMBER 13, 2016 AT 7:00 P.M. IN COUNCIL CHAMBERS, 84 SOUTH MAIN  
STREET, CHESHIRE CT 06410**

Present

Council Members: Robert J. Oris Jr. Chairman; Paul A. Bowman, Vice Chairman; Michael Ecke(9:20 p.m.), Patti Flynn-Harris, Liz Linehan, Sylvia Nichols, Thomas Ruocco, Timothy Slocum and Peter Talbot.

Staff: Michael A. Milone, Town Manager; Town Attorney Al Smith; James Jaskot, Finance Director; Police Chief Neil Dryfe; Economic Development Coordinator Gerald Sitko; Parks and Recreation Director Robert Ceccolini; Public Works Director George Noewatne; Town Engineer Walter Gancarz; Fire Marshal John Andrews; Deputy Fire Chief Don Youngquist.

Superintendent of Schools Jeff Solan; DOE Chief Operating Office Vincent Masciana; Labor Attorney Floyd Dugas.

Guests: State Legislators: Rep. Leslie Zypkus, Rep. Chris Fishbein, Sen. Joseph Markley and Sen. Len Suzio.

PBC Member Steve Durkee; Mr. Carlo Troiano, Police Officer Vincent Nastri; Mr. and Mrs. Brian Safa; Rosa DeJoy and Shreeya Gomathinayagam; Jeffrey Guimond from Ball & Socket Arts Center Committee.

**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**

**4. PUBLIC COMMUNICATIONS**

Chairman Oris moved agenda items for Public Communications out of stated order and into current status.

**B. Recognition of Fire Prevention Contest winners.**

Fire Marshal Andrews gave a short presentation on the history of Fire Prevention Month, which started with the tragic Chicago fire of 1871, and memorialization of this event each year since 1911. Connecticut began the memorial 33 years ago with a fire prevention poster contest for 4th and 5th graders in the State. Fire Marshal Andrews and Chief Youngquist presented the Cheshire Fire Department poster contest awards to St. Bridget Students Rosa DeJoy (4th grade) and Shreeya Gomathinayagam (5th grade). The winning posters were shown to the Council members and the audience. Framed photos of the posters were presented to the winners, along with other gifts. The winning posters are on their way to the State of Connecticut competition.

Chairman Oris presented Rosa and Shreeya with a Certificate of Recognition for their achievements in the fire prevention poster contest. He said the young ladies are

outstanding representatives of the Cheshire community and schools, and he congratulated them on their winning posters.

### **C. Legislative Delegation Discussion**

State Legislators: Rep. Leslie Zypkus, Rep. Chris Fishbein, Sen. Joseph Markley and Sen. Len Suzio.

Town Manager Milone reviewed the items in the legislative package and advised the package had been sent to the Legislators prior to this meeting.

Resources and Incentives-Consolidated Dispatch Centers - The State backed off the implementation date and penalizing towns for non-compliance. Cheshire is working with Wallingford and North Haven to bring about a consolidated dispatch center. Mr. Milone stated that the State should be providing incentives for towns taking on this initiative before the deadline.

Prevailing Wage - The threshold for prevailing wage for construction projects has not changed since 1991 with \$100,000 for renovation and \$400,000 for new construction. Once it is increased, it should be indexed to inflation. The State is still using the 1991 rates.

Chairman Oris stated there is resistance on the prevailing wage and asked if unions have an influence in this regard. For the towns it is helpful to save money, where possible, and prevailing wage has increased the costs of smaller projects.

Sen. Markley reported there is a union influence, and last year the union proposal was to index based on current numbers. With Republican and Democratic support there could be legislative changes in the prevailing wage, but he expects it will remain a controversial item on both side's agendas. Sen. Markley supports increasing the numbers, but is not optimistic it will happen this session.

Rep. Zypkus stated that this issue was discussed today, and was close to getting something done last year, with one opposing union (out of 14), the painters' union. This matter will be on the table again this year, and the Republicans are pushing the Democrats very hard to get something done in this session.

Municipal Spending Cap and Motor Vehicle Mill Rate Cap - P.A.15-5. Mr. Milone stated the opposition to the program, and asked it be eliminated or implementation delayed as another option. The MRSA was to increase State aid and Cheshire's overall aid increased by an aggregate amount of about \$130,000. Under this legislation, the State imposed a spending cap on municipal budgets of 2.5% above the prior year's budget or inflation, whichever is larger. In the last 10 years there have been years when Cheshire's budget has increased by +2.5% with the mill rate increase of 1.6% to 1.7%; in some years, the town had an incredible amount of revenue, a small mill rate increase, but the budget increased by more than 2.5%. With major losses of municipal aid the mill rate could increase with a budget under the 2.5% cap. Mr. Milone stated

this is overreaching by the State. In the same legislation the motor vehicle mill rate is capped at 37.0 mills. With the mill rate at 29.6 mills, the original cap, Cheshire would lose \$500,000 to \$600,000 in motor vehicle taxes. The State does not have the money to reimburse the municipalities their share of the MRSA, and Cheshire would like to see this cap also lifted.

Under the MRSA, Mr. Milone reviewed the impact on Cheshire. The Town was getting \$855,000; this was cut by \$540,000; the PILOT program was cut \$240,000; the Pequot funds were cut by \$260,000; the Town ended up with between \$110,000 and \$130,000.

Chairman Oris stated the funding cap is hypocritical when the State cannot manage its own money and is on the verge of bankruptcy. The Town of Cheshire has a AAA credit rating and manages its local taxpayer dollars very well. He implored the legislators to look at what the Town continues to do well, and what the State does not do well.

Sen. Suzio talked about the motor vehicle cap, and advised that the City of Meriden would lose \$400,000 in revenue under the original plan. Their property lists are older; the city is losing \$1.6 million in motor vehicle taxes; and the State only reimburses the city at \$1.2 million. Regarding the prevailing wage, Sen. Suzio asked about the financial impact on Cheshire.

Town Manager Milone will provide this information to the legislators.

Rep. Fishbein stated his agreement with Mr. Milone's comments and noted these issues also affect the Board of Education.

Police Body Cameras - Mr. Milone talked about creation of a statutory requirement to specify that use of body cameras by police officers is within the conditions of employment, and is not subject to collective bargaining. He commented on State Police Officers being in support of body cameras.

Rep. Zypkus reported that the State Police have a mandate for body cameras, and it is not part of the union contract, but is part of their employment conditions.

Electricity Rates-Waste to Energy - Mr. Milone said that keeping tip fees down is a matter of how much the facility gets for electricity generated. The request is to reclassify electricity generated by trash-to-energy facilities as a Class1-A standard. This gives a comfortable revenue source to rely on due to the volatility in the solid waste market.

Sen. Suzio requested information to the legislators on the impact to the communities.

Dept. Of Public Health Proposed Legislation (DPH) - Mr. Milone explained that Maura Esposito, Chesprocott Health Director (for towns of Cheshire, Prospect and Wolcott) reported on the major reorganization of public health agencies. The one large district would be consolidated along boundaries for the state wide Council of Governments

(COG). The impact would be Cheshire losing its director and services; increase per resident to \$50.21 or \$1.34 million cost to the town; current annual cost under Chesprocott is \$253,000. Cheshire would have to spend \$1.6 million dollars without any change in services.

Chairman Oris' comments underscored the critical importance of the DPH plan and impact on Cheshire. The town would get the same services currently funded at \$253,000 for a cost of \$1.6 million...and he said this is the State stealing money from local communities. Under Chesprocott, Cheshire has a three town consortium working on behalf of the town with good services...and he questioned why this would be changed and at such a high cost. Mr. Oris asked for assurance that the legislators are working against this plan, which has higher costs just for the State to say they regionalized public health services. He stated taxpayers will not be happy about this change.

Ms. Linehan reported that the same conversation has taken place in Wallingford which would face a \$500,000 increase in public health costs under the plan, and people are concerned. Cheshire faces over a \$1.3 million increase. As a legislator this issue will be at the top of her list of priorities, and she will be reaching out to other town representatives to learn their costs.

The Council was told by Sen. Markley that the impetus at the State level is to have "regionalization"; make COGs into county government agencies; move costs from the larger cities to the smaller towns. He serves on the Public Health Committee and will do everything possible to stop this plan from moving forward as it is a miserable proposal.

In looking at per capita regionalization, Rep. Fishbein said the burden is on the smaller towns, and services in the cities is not as good or plentiful as the towns. He opposes this DPH proposal.

Mr. Milone pointed out the fact that the State is encouraging regionalization of services, and they will destroy the existing model. He noted funding for youth services bureau is the same, and the State DOE wants to reorganize the social services area and where grants are distributed. In order to balance its budget the State is reducing social services grants, constricting the size of the agencies, cutting programs and services to municipalities, passing costs along to towns. Mr. Milone stated the reduction in State aid has exacerbated the problems.

With regard to the Department of Correction Facility (DOC) in Cheshire, Sen. Suzio asked about the issues, their status, and if issues have been resolved.

Mr. Milone stated that without the help of Cheshire's Legislators, the town would not be where it is now. The State Legislature allowed Cheshire to pursue its complaint through the Claims Commission. It is a \$7.5 million claim. There has been a year and a half of hearings and in January 2016 the town was informed it could sue the State of

Connecticut. The lawsuit starts in January 2017; the town is going to court and hopes for a successful outcome. It is a total of 8 years since this issue started.

The subject of the Consolidated Dispatch Centers was raised by Rep. Zypkus who served on the Public Safety Committee. She said it was an initiative by Rep. Sharkey who has retired. If the issue passes she will work to get more fruitful action.

Chairman Oris thanked the Legislators for attending the Council meeting and discussion on the Legislative Package. He said the Council and Town administration looks forward to working with them, and their efforts on behalf of Cheshire are appreciated.

**A. Police Employee recognitions.**

Chief Dryfe awarded the Cheshire Police Department's Life Saving Award to Mr. Carlo Troiano and Police Officer Vincent Nastri for their heroic actions and efforts in saving the life of Brian Safa, who was having a heart attack on June 25, 2016 while exercising at a local gym. Chief Dryfe read details of the incident into the record of the meeting.

Mr. Safa expressed his deep appreciation to Mr. Troiano and Officer Nastri, and said they were his heroes. Without them, he said he would not be here tonight. Mrs. Safa thanked Mr. Troiano and Officer Nastri for giving her back her husband, and noted he has returned to good health after bypass surgery and is back working out in the gym.

The Council personally congratulated Mr. Troiano and Officer Nastri for their heroic efforts and saving Mr. Safa's life...and they congratulated Mr. and Mrs. Safa and their new lease on life.

On behalf of the Council and the Cheshire community, Chairman Oris commended Mr. Troiano and Officer Nastri on their life saving actions and efforts for Mr. Safa and his family. Mr. Oris stated that Cheshire is fortunate to have good people and professional public safety officials who do great things in the community. He wished everyone a Happy Holiday Season.

**D. Public Comments**

Cindy Kleist, 251 Lancaster Way, commented on the heroic efforts of Mr. Troiano and Officer Nastri in saving the life of Mr. Safa. She also talked about the passing of her Father 38 years ago who could have been saved if 911 and life saving equipment were available at that time, and the emotional and difficult impact the event had on her life.

Mikala Alexandru, 150 Sutton Place, addressed the Council on the removal of pine trees in and around her home by the Public Works Department. She said residents should be asked permission before trees are cut, dead branches are left, damage is done, a tree barrier is removed, and this has been devastating for her. The men cutting the trees were rude and arrogant. She has written letters and made calls to the PW Department without much response, and asked the Council's help with this situation.

Town Manager Milone informed everyone that the workers were outside contractors, not Town employees. He will review the matter with PW Director Noewatne, and there will be personal contact by department staff with Ms. Alexandru.

Councilor Bowman brought up the idea of an outside seasonal skating rink in Cheshire. He has heard discussions about this rink, and read two letters in support of the rink into the record from John Caldwell and Frank Salvatore. The process would include looking into a portable skating rink to be erected at either Bartlem Park or on the tennis courts at the high school. As a former skater and hockey player, Mr. Bowman noted that ice skating contributes to the quality of life in town and is good exercise for everyone in our healthy community. Kits can be purchased for \$10,000 to provide a large rink area for kids, adults and skating lessons.

Councilor Talbot reported the concept of a portable skating rink was discussed by the Parks and Recreation Commission at its recent meeting. Director Ceccolini is looking into the possibility of a rink and the best location, and he will report back if there is further action on going forward with a portable rink in Cheshire.

**5. APPROVAL OF MINUTES**  
**Regular Meeting of November 10, 2016; Special Meetings of**  
**November 3 and 30, 2016; amendments to the September 13, 2016**  
**Minutes.**

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

MOVED to approve the minutes the Regular Meeting of November 10, 2016; Special Meetings of November 3 and 30, 2016; and amendments to the September 13, 2016 Minutes, subject to corrections, additions, deletions.

Corrections - attached to these minutes.

VOTE The motion passed unanimously by those present.

**6. CONSENT CALENDAR**

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

MOVED to remove Consent Calendar item "L" from the Calendar.

VOTE The motion passed unanimously by those present.

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-1

**RESOLUTION #121316-1**  
**CONSENT CALENDAR FOR DECEMBER 13, 2016**

BE IT RESOLVED, that the Town Council approves the Consent Calendar for December 16, 2016 as follows:

- A. Acceptance and appropriation of a \$1,500 donation from the Lions Club to the Parks Gift Account for a memorial bench.
- B. Acceptance and appropriation of a \$50 anonymous donation to the Human Services Gift Account for general purposes.
- C. Acceptance and appropriation of a \$110 donation from the Town Employees Dress Down Fund to the Human Services Gift Account for residents in need.
- D. Acceptance and appropriation of a \$96 donation from West Woods PTA To the Parks Gift Account for improvements to the Lock 12 museum.
- E. Acceptance and appropriation of a \$1,250.58 donation from the 2016 Annual Rotary Drive to the Human Services Gift Account for general purposes.
- F. Acceptance and appropriation of a \$200 donation from Calcagni Real Estate To the Human Services Gift Account for general purposes.
- G. Acceptance and appropriation of a \$1,650 donation for a memorial bench In honor of Seth Krohn.
- H. Acceptance and appropriation of \$130 proceeds from the Rock Horror Picture Show to the CPFA Gift Account for scholarships.
- I. Acceptance and appropriation of \$193.50 in donations from the Library Lobby Box to the Library Gift Account for the purchase of library materials, furniture and computers.
- J. Acceptance and appropriation of an aggregate of \$3,865.50 to the Human Services Gift Account for Cheshire Senior Center Membership Association Senior programs.
- K. Acceptance and appropriation of an aggregate of \$3,086.35 to the Human Services Gift Account for Senior Center Programs.
- L. Removed from the Consent Calendar.
- M. Authorization to apply for the annual Department of Mental Health and Addiction Services Local Prevention Council Grant for \$5,342 for youth substance abuse prevention programs.

- N. Acceptance and appropriation of \$5,000 Clean Energy grant for energy improvements to the Concession Stand Construction Project.
- O. Acceptance and appropriation of a \$3,000 donation from the ION Bank Half Marathon to the Fire Department Gift Account for general purposes.

VOTE The motion passed 7-0-1; Mr. Bowman abstained.

## **7. ITEMS REMOVED FROM CONSENT CALENDAR**

### **L. Authorization to apply for State of Connecticut reimbursement grant for police body-worn cameras.**

Chief Dryfe explained that \$200,000 was requested in the CEP to replace aging cruiser cameras along with the purchase of body-worn cameras. In law enforcement the body cameras are becoming more and more common and utilized in every day duties. The cameras now have better technology, and the Council approved \$100,000 to replace the aging cruiser cameras. Chief Dryfe has become aware that there is a State of Connecticut grant opportunity available for purchase of body cameras. If Cheshire purchases the cameras prior to June 30, 2017 the State will reimburse 100% of the cost of the cameras. If the purchase is after July 1, 2018 the State will reimburse 50% of the cost of the cameras. CPD makes the initial purchase. OPM sent a representative to the Police Chiefs meetings as police departments were not pursuing the grant funding, but the money is set aside and available. Chief Dryfe has discussed this matter with the Council in the past, and will request funding again in the future. He wanted the Council informed about the available grant funding, and noted this funding was not available during the capital budget process.

Ms. Flynn-Harris said the body cameras were discussed with Chief Dryfe during the capital budget process, and there were concerns about the language in the State program. She assumes this grant does not have the language concerns as before.

Chief Dryfe said it does not have the language concerns as in the prior model. There is a feeling amongst police chiefs that if they do not accept the State's grant funding, they would not be held to the State's model policy on body cameras. Research has been done since then, and the section of the policy most concerning to Chief Dryfe is also part of the statute which supports this grant. For implementation of body cameras in the State of Connecticut the police department will be bound by statutory language. His concern about the language is still there, but the consensus is he can do nothing about it. This is another motivation to move forward.

For the cost of the cameras, \$100,000 grant, Ms. Flynn-Harris asked if it includes storage.

In response, Chief Dryfe said it is storage, shipping, training, body cameras. It is an A to Z grant including training expenses.

Ms. Flynn-Harris asked if there was guidance as to how long the police department is mandated to keep the videos, and if this is a storage issue.

Chief Dryfe reported two police departments stopped using body cameras because of the statute changes. Normal video retention is 30 days; it is 90 days with this grant; and with a criminal arrest or use of force, with chance of litigation, the videos will be kept as evidence. The CPD works with Apex Technology and the town's I.T. people, and the Chief is comfortable with the infrastructure in place for storage.

The issue of FOI request for these videos was raised by Ms. Linehan, and she assumes some things in the videos need to be redacted to protect people involved. There are also associated costs involved. She asked Chief Dryfe about this and possible costs.

Chief Dryfe said one of the products being looked at for the cruiser cameras has redaction built into it, i.e. non-involved juveniles in a situation. The legislation exempts domestic violence incidents from public records. Medical calls would also be exempted under FOI and privacy is already in place. The Council was told by Chief Dryfe that the department received few FOI requests over 10 years with cruiser cameras. There are more requests from the State Attorney's office for DUI arrests. Once people learn the cameras are in place there could be more requests for videos.

Ms. Linehan talked about the concern of accepting State money tied to the body cameras. Under the plan, she said officers would be able to review footage before writing a report, and the Chief can do nothing about this.

According to Chief Dryfe he can try, but this is part of the State statute. It is not just part of the model policy, but is part of the statute with no choices.

It was reaffirmed by Mr. Milone that the cameras were not funded in the first year of the CEP, and are funded in year #2 for \$104,000.

The cost of the cameras is about \$1000,000, and Chief Dryfe noted that with storage the cost is about \$104,000.

Chairman Oris asked about the life cycle of the cameras.

The cameras are warrantied, and the Chief noted they get more exposure being on the outside of the uniform. Technology is pretty new. Wolcott has had body cameras and good success over the last two years. It is anticipated the life cycle will be longer with the product the CPD is looking to purchase. The cruiser cameras have a five year warranty, and they are coming into 10 years of service for CPD. The technical specifications are put out; they are broad; and Chief Dryfe is comfortable he will find a

manufacturer within the specs. There are no other conditions of the grant to cause any concern.

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

MOVED that the Town Council approves Resolution 021316-1A

RESOLUTION 121316-1A

BE IT RESOLVED, that the Town Council approves the authorization to apply for State of Connecticut reimbursement grant for police body-worn cameras.

VOTE The motion passed unanimously by those present.

**8. OLD BUSINESS**

**9. NEW BUSINESS**

**A. Approval of the Legislative Package**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-2

RESOLUTION #121316-2

BE IT RESOLVED, that the Town Council approves the 2017 Legislative Recommendations as presented and attached.

VOTE The motion passed unanimously by those present.

**B. Approval of schedule for regular meeting dates for calendar 2017**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-2

RESOLUTION #121316-2

BE IT RESOLVED, that the Town Council approves the following meeting dates for the 2017 Town Council Regular Meetings. All meetings are held in Council Chambers on the second Tuesday of each month at 7:00 p.m. unless otherwise indicated.

January 10, 2017

February 15, 2017 (moved for Valentine's Day)

March 14, 2017

April 12, 2017 (moved for first day of Passover)  
May 9, 2017  
June 13, 2017  
July 11, 2017  
August 8, 2017  
September 12, 2017  
October 10, 2017  
November 14, 2017  
December 12, 2017  
January 9, 2018

VOTE            The motion passed unanimously by those present.

**C.     Discussion re: the ratified Education Association of Cheshire four-year Contract.**

Superintendent of Schools Jeff Solan, COO Vincent Masciana, and Labor Attorney Floyd Dugas were present for this agenda item.

Supt. Solan reported that the Council members received a copy of the settlement contract, and the negotiation group met with Town Council members and Attorney Dugas to review the contract settlement. The process included an overview of the contractual settlement, salary and benefits data; there was a comparison of Cheshire salaries and benefits to other districts. The BOE is subject to binding arbitration.

Negotiations began on July 20th; a mediator had to be selected by September 8th and arbitrator by October 3rd; and the BOE must submit a budget to the Council by February 13, 2017. Many people were involved with the process, including the full BOE, Chairman Oris and Councilor Nichols. A mediation session was held on September 22nd; an agreement was close; but the mediation process did not generate a final settlement. Arbitration was scheduled for October 18th. Twenty-five contractual items are being decided by the arbitrator; the proposals were compared with other Connecticut contract language; and the one closest would be chosen. The BOE and attorney waived the risks and methods associated with this process, and believes the settlement decided is in the best interests of the public school system and the community.

Highlights of the contract were cited by Supt. Solan. Wages and benefits are the key items in the contract. Wage Increases - 2017-18, 3.31%; 2018-19, 3.21%; 2019-2020, 3.3%; 2020-2021, 3.14%. Communities similar to Cheshire had increases of 3.25% in each of the four years; the Cheshire settlement was 3.125% average; Connecticut average is 3.25%; \$37,500 is the difference on the lower side of each year for the Cheshire contract.

Year #1 of the contract - 55% of teachers receive a 1.2% pay increase; in year #4, about 71% receive a 1.92% pay increase as teachers move up the pay scale.

Fiscal annual increase impact - FY 17-18, \$913,000; FY 18-19, \$973,000; FY 19-20, \$1.034 million; FY 20-21, \$1.066 million. These are rough numbers that could come down.

Supt. Solan reviewed the medical insurance benefits. 60% of teachers are in the HSA and the trend continues to increase. HSA deductible increased to \$1,500 single and \$3,000 family; the PPO and HMO plans have the same cost to the district because teachers pay the difference. Prescriptions under HSA have a co-pay after meeting deductible effective 7/1/17. HSA deductibles increases to \$2,250 and \$4,500 in the 2019-2020 school year. PPO and HMO plan co-pays increase in the 2nd year for doctor visits, hospital stays, emergency room care under the contract. HSA co-share increases to 9.5% next year. Changes agreed to by the teachers for the HSA, PPO and HMO plans are consistent with the BOE's objectives and reduce the number of sub-plans. Teachers, Custodians, Instructional Assistants have agreed to the same HSA, PPO and HMO options. It is hoped to have more administrators and secretaries under this structure. Insurance waiver will be eliminated for future teachers. Current costs are \$98,500 with payment of \$1,200 per teacher waiving insurance benefits. There is annual cost increase related to medical benefits of \$100,000.

The last element in the contract is enumerated rights clause within the contract. Supt. Solan noted this outlines the management rights under the contract and details the management rights of the BOE with respect to teachers in the district. The BOE does not possess these rights unless they are articulated in the contract, with specifications spelled out, and Cheshire is the first district to articulate these rights. The rights will support the BOE in dealing with matters that may arise.

Councilor Slocum pointed out the wages on page 2 showing 1.2% general wage increase, steps increases, and total cost of 3.2%. He said this states the average employee gets a 1.2% and others are getting more and more, adding up to total of 3.2%.

Stating that is correct, Supt. Solan noted there are 14 steps in the teachers' contract. Employees with 14+ years next year receive a 1.2% wage increase, and this represents 55% of the teaching staff. In the last contract year it will be 71% of staff. The BOE has attempted to provide retirement incentives to eligible teachers as a cost saving measure.

Mr. Ruocco commented on looking at the steps, with some being significant with large jumps, and the public having a problem in hearing this. Co-pays are very generous; deductibles are low with the HSA; it is a detailed and generous contract. Mr. Ruocco talked about the coaches salaries, extra-curricular activities, and asked if these positions are filled by teachers or non-teaching employees, faculty or volunteers. He said these salaries are generous, and difficult to validate.

Supt. Solan said the majority of coaching positions are filled by teachers, but several coaches are non-education related.

The issue of waivers was raised by Mr. Ruocco who noted it is being phased out for those not currently receiving one...and asked if the waiver continues until someone leaves BOE employment.

Stating that is correct, Supt. Solan said waivers will be phased out. Regarding salaries for coaches and extra-curricular activities, he commented on the number of work hours put into these opportunities for students to participate. These people lead programs, and spend incredible amounts of time and energy into the programs. The stipends are frozen in year #1.

Supt. Solan stated there are no longevity bonuses in place now because these people have retired. There are a few people receiving a stipend in excess of 35 years service.

It was stated by Mr. Talbot that the information on the contract is overwhelming to take in within one day. He commented on the extra-curricular activities payments in FY 2017-18...i.e. the band director payment of \$7,220, and asked if this is on top of his regular position. He asked about the Director of Athletics and his receipt of additional salary.

Supt. Solan clarified that any position shown in the coaches salaries is beyond the teaching responsibilities. The Director of Athletics is no longer under this contract, and is now an administrative position.

Since the Council received the BOE packet, Mr. Talbot asked if there are any instances of arbitration since those already looked at, and what they would look like.

Attorney Dugas stated there was only one arbitration decision this year for Greenwich CT, and the general wage increases were slightly lower than in the past years. This was a signal to Cheshire that salaries will be lower. The town of Greenwich made a point that they had the highest salaries in the State by a significant portion, and the arbitrators credited that and slowed down the growth in their contract. The aggregate numbers are close to Cheshire's because Greenwich's cost of step is higher than Cheshire.

With regard to a cost analysis on the contract increase, Mr. Talbot asked if was done. He noted the \$900,000+ increase in year #1, and asked about savings of \$100,000 on the medical benefits, and if any other areas of the contract were looked at.

Supt. Solan said these two are the main drivers of the fiscal impact; the waiver benefit is being phased out; the impacts are wages and benefits; everything from the contract will be evaluated, and hopefully align with the BOE goals. Supt. Solan noted he will present his budget to BOE on 1/5/17 for their review. There are fiscal implications across the board. There has been talk about consolidation of schools which will be discussed under the facilities master plan, and this is a reality. Enrollment is declining due to changes across the State. Our facilities must be evaluated, including cost of

operation and maintenance, and efficiencies gathered with respect to staffing with consolidation of facilities. With regard to the \$1,200 waiver in the contract for current employees, this is left as is, but frozen throughout the contract.

Ms. Flynn-Harris commented on the Council seeing this contract for the first time. In FY 2017-18 the wage increase is \$913,000, and \$100,000 savings in medical costs. With a percentage increase to 2021, there is only \$100,000 savings annually for medical...and asked about an increase in this savings as the contract went up.

According to Supt. Solan the costs of the medical plan four years out is unpredictable, but by increasing the deductible the BOE impacts decreases as does the cost of the plan, generically speaking. With this structure the BOE is positioned in the best possible place to receive the most reasonable costs for health care. The deductibles are in place and are amongst the best in the State.

Regarding a 4 year contract, Mr. Oris asked if this is typical versus a 3 year contract, and comparisons in wages and health plans.

Attorney Dugas said the norm in Connecticut is a 3 year contract. The prevailing wisdom is to grab a 4 year contract while numbers are where they are now. This contract is ahead of the curve for teachers; a 19% cost share is on the high side; \$2,000 and \$4,000 deductibles are standard; post deductible prescription contribution after meeting the deductible is not the norm. As far as teachers' contracts go this is ahead of the curve on the health insurance side.

The enumerated rights statement was raised by Chairman Oris. He asked about Cheshire being ahead on this issue, if it is new, and for particulars on this issue.

Attorney Dugas clarified the enumeration rights, and said they are unusual in a teachers' contract. The Labor Board has stated...if a right is not enumerated in the contract it does not exist. By articulating this, the BOE is in a better position to dictate a change with the unions. NLRB governs the private sector, did an about face...they now follow Connecticut's rule...if it is not stated it does not exist. There was push back from the teachers' unions; nothing was given up for these rights in the contract.

Mr. Oris echoed Mr. Ruocco and Mr. Talbot's comments about the phase out of the employee waiver for those now receiving it. On the Town side it is being phased out even for those currently receiving it, resulting in a \$98,000 savings. Mr. Oris asked the BOE to consider phasing this out resulting in savings.

Stating his agreement, Supt. Solan said it is a quid pro quid in the negotiation process, and it was felt the best resolution was to avoid arbitration and remove this from the contract.

Chairman Oris talked about the \$11,000 stipend for the Director of Athletics, and questioned the position still getting benefit of this stipend when it is now an administration position.

The Director of Athletics position is now in the administrators bargaining union, and it is a 12 month position with the stipend in the contract.

Noting the Assistant Director of Athletics is getting a stipend, Mr. Oris said he does not understand this...as these are salaried positions. The coaches take on additional responsibilities and he questioned why the A.D. and A.D.D. get coaching stipends in addition to their salaries.

The A.D.D. is a middle school position, and Supt. Solan said this position handles all the scheduling for middle school athletics. He also stated that the coaches work many hours outside their contracts. The A.D. is now an administrative position and no stipends are received. Other coaching positions are in addition to teaching positions and receive a stipend.

The Council will have more dialogue about this contract. It has a 30 day time frame for a decision and will have a formal meeting to review and ask questions before a vote on the contract.

In response to a question about the enumerated rights and tenure, Attorney Dugas said tenure is unrelated to the contract and had nothing to do with why there were no enumerated rights.

Supt. Solan thanked BOE members present - Ms. Fabiani, Ms. Harrigan and Ms. Heilrich.

**D. Acceptance, appropriation and authorization to execute grant and Memorandum of Understanding documents for the \$750,000 Department of Economic and Community Development financial assistance for remediation and abatement of the former Ball & Socket property.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-5

**RESOLUTION #121316-5**

BE IT RESOLVED, that the Town Council accepts and appropriates the \$750,000 grant for financial assistance for the remediation and abatement of the former Ball & Socket Manufacturing Factory Building at 493 West Main Street, Cheshire CT from the Connecticut Department of Economic and Community Development, and authorizes

Town Manager Michael A. Milone to execute the Financial Assistance Proposal and any and all documents necessary for said grant, and

BE IT FURTHER RESOLVED, that the Town Council authorizes Town Manager Michael A. Milone to execute the Memorandum of Understanding (MOU) among the Town of Cheshire, Ball & Socket Arts, Inc. and the Connecticut Department of Economic and Community Development to insure that Ball & Socket Arts, Inc. is obligated to meet its responsibilities in the Financial Assistance Proposal, pursuant to the terms as presented in said MOU, as attached.

#### Discussion

This is the second grant for the Ball & Socket project. Mr. Sitko said the Town received the \$400,000 remediation grant a few years ago, in a pass through nature. The subject grant is through the Department of Economic and Community Development (DECD) procedures. It comes directly to the Town; the Town manages the grant, writes checks, pays vendors; Mr. Gancarz will manage the remediation project, and Mr. Sitko will manage the grant funds. The Town has complete control of the grant. The proposal outlines the responsibilities of the Town to the State, and the MOU ties the Ball & Socket group to the Town with provision to provide the required financial information to the Town that the group has the wherewithal to do this project. The financial information would include loans, money in the bank from fundraising, leasing activity, and until demonstrated the grant money will not be realized.

Jeff Guimond represented the Ball & Socket organization. He thanked the Council for consideration of the proposal, noting it is a significant amount of money to move the project forward. The grant funds will go directly into abatement in the buildings, providing a safe environment for work to be ongoing at the site. Fuss & O'Neill has stated the estimated cost for remediation is \$3 million. The environmental assessment is completed and there was investigation of the site. There will be a meeting in January with DEEP. The project will be phased in with the opening of the Arts Center in this phase. The large red building on Willow Street and the smaller rear building will house the art gallery, multi-purpose event space, display room, 2nd floor office, and space for non-profit organizations and the arts. The building(s) will have a commercial tenant, and opportunity for arts programs. It is estimated to be 3 years for completion and move-in. The project has a commitment from Eversource; the group is working with small lenders; and is looking for private donations to support phase #1.

The Council was informed by Mr. Sitko that a successful "arts type" and high end business, Brian Guitars, is moving from Hamden to West Main Street. The owner likes what is being done with the arts in Cheshire and the Ball & Socket project.

Councilor Bowman asked about jobs and construction, and if this project is subject to the prevailing wage rate.

Mr. Guimond replied that phase #1 is financed through a grant, and he was uncertain if the prevailing wage comes into play because it is publicly funded.

The grant would be subject to prevailing wage and it is included in the Fuss & O'Neill estimate. Investigative cost was \$50,000; a pcb sample is to be done; and \$100,000 is the cost for development plans and specifications. \$560,000 is the total cost of the remediation, subject to prevailing wage.

Stating she supports this project, Ms. Flynn-Harris hopes for full Council support. She said this project will make a big difference in the West Main Street area, and will be a vibrant place in town, with Ball & Socket as the anchor.

Chairman Oris supports the project, which he believes will be a great asset to the town. This grant is different from other grants, and the town is the applicant. In this regard, the town has responsibility for administration of the grant with staff costs and oversight.

(Mr. Ecke entered the meeting at 9:20 p.m.)

Mr. Sitko pointed out that there is no management fee for administering this grant, and staff did it with the prior grant and can do it again.

It was stated by Mr. Oris that Fuss & O'Neill sets the guidelines with DEEP approval and the funds start the remediation plan. There is an access agreement between Ball & Socket, the Town and DECD.

Attorney Smith stated the access agreement is not yet completed.

Should Ball & Socket not be able to follow through on the grant requirements, Mr. Oris asked what would be the alternative use.

This has been discussed with DECD and Mr. Sitko said the property would be sold with new owners working with DECD. The State has an investment with this property, and DECD wants the property remediated and the building to remain in tact. This building is on the State Historical registry.

Attorney Smith explained the State does not usually change the form. He has gone through discussions about the changes made; there are standard provisions; in the event the project does not go forward DECD would want the property and rights to the property. The covenant runs with the land.

This is standard language and Mr. Bowman informed everyone that The Cheshire Community Food Pantry had the same language. He supports this project, and if it is defaulted the Town can go in and complete it. He cited it as an important asset to the community.

The Council was told by Attorney Smith that we have to be careful there is no automatic transfer to the town while the property remains contaminated. There could be inclusion of Mr. Oris' comments in the draft language.

Chairman Oris read an excerpt of the covenant into the record. It states clearly that the property must be maintained as a multi-disciplinary arts facility. The town might want to look at an alternative use, and this is a concern.

Attorney Smith said DECD will not issue a grant that allows any use of the property...there must be an understanding of the parameters of an alternate use.

Mr. Oris wants to keep the broad language in case of problems.

VOTE The motion passed unanimously by those present.

**E. Approval of recognition of Senior Center Membership Association Board of Directors as a fundraising organization.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-6

RESOLUTION #121316-6

BE IT RESOLVED, that the Cheshire Senior Center Membership Association Board of Directors is hereby recognized as an independent non-profit organization whose mission is to provide financial support to the Cheshire Senior Center through fundraising, including the Annual Holiday Bazaar.

Discussion

This matter was discussed months ago, and Ms. Flynn-Harris noted there was a change in the Board which was never approved or recognized by the Council. This resolution makes the Board official, legal, and they can move forward doing what has been done for years.

VOTE The motion passed unanimously by those present.

**F. Approval of Town Sponsorship Policy.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-7

RESOLUTION #121316-7

BE IT RESOLVED, that the Town Council approves the Town Sponsorship Policy as presented and attached.

Discussion

Ms. Flynn-Harris said this matter was discussed when the pool was remodeled, and has been brought to the Ordinance Review Committee for review of all town recreation properties.

Director Ceccolini supports the sponsorship program as a townwide policy for all departments. It took time to put the policy together, and get it right. He said it makes sense to go after sponsorships for programs such as the concert series, touch a truck and scoreboard at the pool. There will be a link on the town web site which shows a list of sponsorship possibilities. The sponsorships will help fund quality programs and find ways to offset costs now in the department budget.

Concerts - there can be different levels of sponsorships; with good response, more concerts can be added as this is the most popular Cheshire program.

Muck Run at Mixville - the cost is about \$500; there could be a list of sponsorships set by the Parks and Rec Commission.

Pool Scoreboard - \$5,000 cost would come to the Council for approval.

Ms. Linehan said she is pleased with Mr. Ceccolini's ideas to move forward; they are good for the town; and he will insure appropriate sponsorships for the community and bigger, better programs at a lower cost.

It was noted by Chairman Oris that there will be much criteria for sponsorships, and they are not permanent naming rights. Signage is subject to the Code of Ordinances and Sign Regulations, with oversight by the Beautification Committee.

VOTE           The motion passed unanimously by those present.

**G.     Set public hearing for proposed Tobacco-Free Parks ordinance.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-8

**RESOLUTION #121316-8**

BE IT RESOLVED, That the Town Council shall hold a public hearing to consider a proposed ordinance (new) prohibiting tobacco use in Town Parks, other Town-owned property, and public school grounds,

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.

**H. Assignment of capital budget projects to the Public Building Commission.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-9

RESOLUTION #121316-9

BE IT RESOLVED, that the Town Council assigns the following projects to the Public Building Commission, pursuant to Cheshire Town Ordinances Section 2-26:

Sidewalk and Masonry Repairs - Chapman, Darcey and Cheshire High Schools  
Cafeteria Renovations - Doolittle School  
Emergency Generator Connections 5 Elementary Schools and Dodd Middle School  
Districtwide Roof Repairs and Replacements.

VOTE The motion passed unanimously by those present.

**I. Approval of final design and authorization to go to bid for the Cheshire High School Generator Project.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-10

RESOLUTION #121316-10

WHEREAS, the Public Building Commission has approved the final design for the Emergency Shelter Generator at Cheshire High School capital project,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council, pursuant to Section 2-26 of the Code of Ordinances approves the final design for said project and authorizes the Public Building Commission to go out to bid for said project.

Discussion

Mr. Bowman reported that PW Director Noewatne provided plans and budgets for this initiative. The high school is part of the disaster plan and is a place of refuge during a disaster and/or emergency.

Steve Durkee, PBC member, explained this is a 250KW diesel-powered generator to be installed in the loading dock area of the high school. This generator will supply power to the front portion of the facility - cafeteria, dining commons, kitchen, gym and locker rooms - to allow them to function as an emergency shelter. Projected cost is \$285,000, capital appropriation, which includes design and construction, with estimated completion date of Summer 2017.

VOTE The motion passed unanimously by those present.

**J. Authorization to use \$5,000 of the balance in the Senior Center Lower Level Renovation capital project to connect the basement HVAC system To the new building management system.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-11

RESOLUTION #121316-11

BE IT RESOLVED, that the Town Council authorizes the use of up to \$5,000 of the remaining balance in the completed Senior Center Basement Renovation capital project to integrate the lower level heating system into the building management system.

Discussion

This was discussed by the Budget Committee and Mr. Slocum said it was passed to the Council for approval.

Mr. Noewatne explained this is a PBC project, which went well. The request is to include the lower level heating system into the building management system. The Senior Center project came in under budget b \$17,216.

VOTE The motion passed unanimously by those present.

**K. Approval of the proposes Personnel Rules and Regulations.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-12

RESOLUTION #121316-12

BE IT RESOLVED, that the Town Council approve the revisions to the Personnel Rules and Regulations as presented and attached.

Discussion

A copy of the revisions is attached to these minutes. Mr. Ruocco reviewed some of the revisions. Medical Benefits - PPO eliminated; Health Savings Account changes for individuals deductible increase to \$1,750, couple/family to \$3,500; prescription co-pay after deductible is reached to \$5/\$10/\$15. Health Maintenance Organization (HMO) employee contribution increased to 14%; per visit co-pay to \$35. Waivers phased out; single reduced to \$800; couple to \$1,200; family \$1,650. Vacation payment upon termination has sections revised to clarify intent of 2002 version; personal leave language clarified as to hours of accumulation; earned vacation leave increase of one day per year for certain employees for years 11 to 15.

MOTION by Mr. Ruocco; seconded by Mr. Slocum.

MOVED to amend the resolution with removal of "D - Earned Vacation Leave"

Discussion on the amendment

In response to a question on "D" being a total of both sick and vacation days, Mr. Ruocco said they are separate. The proposed amendment is because people are hired at 15 days and can accumulate to 20 days; some people are hired at 20 days and can accumulate to 25 days.

Ms. Linehan asked about taking away these vacation days because of the possibility of them not being used, being accrued, and people getting a payout for not using them. She asked if the town hires temporary for people away on vacation.

The Council was told by Mr. Milone that these are department heads, and someone fills in for them. No temporary staff is hired. These staff members do not get overtime, so there is no additional cost involved.

Stating it would be better to give the vacation days rather than taking them away, Ms. Linehan asked about adding a stipulation that the days cannot be carried over.

This is an enhancement, and Mr. Ruocco said days are not being taken away.

Ms. Linehan's concern is vacation days not costing cash out, and asked about limiting the amount of days rolled over. She believes people need vacation time. If there is no financial concern, the days can be kept in.

Vacation days are days not worked, and Mr. Ruocco said people have less service to the town. Some people are hired under a certain set of rules, and achieving a level of parity is unnecessary.

It was suggested by Ms. Linehan to change the amendment and give people the extra five days.

The language would become complex, and Mr. Ruocco said it is based on the date of hire for a few people, creating another disparity. People can accrue 100 days, but are only paid out for 35, and Mr. Ruocco is unsure of the vacation liability for the town.

According to Ms. Linehan, burnout is real, and we must support mental health for the staff. People who are well rested perform better work.

Chairman Oris clarified that nothing is being taken away from anyone that is already in place...it is a reduction of an enhancement.

Ms. Flynn-Harris asked about removal of "D" and then bringing it back up at Personnel Committee for more discussion.

In reply, Mr. Ruocco said this can be done, but he thinks "D" is unnecessary, and people do not need an extra week's pay. This is about a personnel policy, not people hired under certain conditions.

At the request of Mr. Talbot, Town Manager Milone made a statement on the issue on the floor. Mr. Talbot noted there is 5 weeks vacation for a certain group of non-union employees, but there is a group affected by the amendment to the motion.

Mr. Milone explained there is a carry over limitation on vacation. The language referred to is designed to strengthen it as it was unclear and ambiguous. If someone is entitled to 15 days per year, they can carry over a maximum of 15 days + 10 days to a maximum of 25 days. If someone is entitled to 20 days a year they can carry over 20 days + 10 days to a maximum of 30 days; someone with 25 days can carry over the 25 +10 to a maximum of 35 days. At no time can anyone have more than 35 days accumulated. The change that is requested was denied in the past. The town has department heads with the same number of years of service, but with different vacation accumulations. Some were hired with 3 weeks vacation or 4 weeks vacation, depending on how much vacation time they had at their prior job. We are now at the point where there is an inequity between department heads. Mr. Milone explained that these are the people who work 60 hours some weeks, with regularity, are on call 24 hours a day. Giving them opportunity for more time off is something they have asked for, and given the nature of what they do, how well they do it, Mr. Milone is comfortable advancing this to the Council.

The only other request for this group of people is a salary adjustment, and Mr. Milone noted they are getting nothing else in the plan. It helps morale and gives people who are working long hours the opportunity for more time off from work.

Mr. Slocum asked for clarification...voting on non-union rules, with "D" removed. Having another discussion on this matter is something for next year.

VOTE            The vote on the amendment to the motion was five (5) opposed  
                    And four (4) in favor. The motion failed to pass.

The Council referred back to the original motion on the floor.

VOTE The motion passed 7 in favor; 2 opposed (Oris and Ruocco).

**L. Approval of the proposed Non-Union and Non-Union Library Pay Plans.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-13  
RESOLUTION #121316-13

BE IT RESOLVED, that the Town Council approves the proposed changes, including the new and revised classifications, to the Non-Union and Library Non-Union Pay Plans as presented and attached.

Discussion

Mr. Ruocco said this is the annual review of salary brackets for non-union staff. Surveys were prepared by Mr. Milone and staff, with minimum brackets increased by 2%; maximum ranges 0% to 4%. This brings the pay plan to parity with surrounding towns.

It was clarified by Mr. Milone that the handout to Council had an error for E-1 classification...correction should be minimum goes up by 2%, and maximum by 3%.

VOTE The motion passed 8-1; Ruocco opposed.

**M. Approval of the Dispatchers collective bargaining agreement.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-14

RESOLUTION #121316-14

BE IT RESOLVED, that the Town Council approves the collective bargaining agreement between the Town of Cheshire and the UPSEU Local 424 Unit 101 - Cheshire Police Department Dispatchers for July 1, 2016 through June 30, 2020, under the terms presented.

Discussion

This is a favorable agreement, with a pay increase of 2.4% over the next four years, which is a modest increase. The medical premiums and co-pays are also increased in the contract, with phasing out of waivers.

VOTE The motion passed unanimously by those present.

**N. Approval of the Town Manager Contract**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-15

RESOLUTION #121316-15

BE IT RESOLVED, that the Town Council hereby amends the contract with Town Manager Michael A. Milone with the adoption of the following changes:

1. Base annual salary of \$150,365 to be increased by 2.75% to \$154,500 Annually.
2. Deferred compensation to be increased from 15% to 17%.

This amendment is effective as of July 1, 2016.

Discussion

Mr. Ruocco said this contract is based on the Town Manager's performance, and he believes the deferred compensation is adequate at 15%.

Going forward, Mr. Slocum asked about the Town Manager's contract extended 1.5 years. The Council, at its discretion, can begin interviewing candidates to replace Town Manager Milone.

This is not in the contract, but Mr. Milone said the Council has this prerogative to begin the search for a new Town Manager at any time.

Mr. Slocum commented on the need to begin this search before Mr. Milone leaves, and nothing precludes the Council for acting wisely in this regard.

According to Mr. Milone, there is nothing in the contract which precludes or prohibits the Council from beginning its search for a new town manager...as long as his contract is honored through June 2018. He noted that the sooner someone comes in, the transition process will be easier.

Mr. Talbot commented on discussions on this matter, and for the record, he stated his total support of the Town Manager's contract. It is a fair increase based on the Mr. Milone's performance 365 days a year. He commended Mr. Milone on his outstanding work ethic and professionalism, and thanked him for his service to Cheshire. Mr. Talbot supports this equitable and fair contract.

Ms. Linehan echoed Mr. Talbot's comments, and said Mr. Milone is a pleasure to work with, and she thanked him for his service.

Chairman Oris stated Mr. Milone is a consummate professional, who serves the town very well. June 2018 will come too fast, and there will be a void left when he leaves his position. The search must start to bring a qualified person to the job because they have big shoes to fill. Cheshire has been blessed with a very strong leader and Town Manager, and the town is in a strong financial situation thanks to Mr. Milone.

VOTE The motion passed 8-1; Ruocco opposed.

**O. Approval of reclassifications and job description for Town Manager's Office.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121316-16

RESOLUTION #121316-16

BE IT RESOLVED, that the Town Council approves the reclassification of the Executive Assistant/Public Information Officer position N-4 to Assistant Town Manager/Public Information Officer E-5, and approves the job description for said Assistant Town Manager/Public Information Officer position as presented and attached, effective January 1, 2017.

BE IT FURTHER RESOLVED, that the Town Council approves concomitantly the revised job title and job description for the Human Resources Director/Assistant Town Manager for Human Resources position as presented and attached, effective January 1, 2017.

Discussion

Mr. Ruocco stated this is a proposal of the Town Manager to the Personnel Committee in wake of the upcoming transition of a new Town Manager and supporting this transition. The position has grown; it has been reclassified; and will continue with existing and same duties.

Town Manager Milone stated that in keeping with the succession planning it is important to start with the Town Manager's staff, and his upcoming retirement. During the transition of Mr. O'Neill to Mr. Salamone, there was difficulty involved. There must be someone readily available to guide and help the process, act as a bridge and an anchor for existing employees. If not, the new manager will be ineffectual for quite some time. The individual identified has the skill set, knowledge and relationship throughout the organization and understanding of how the town government operates to make a smooth transition. The appointment of the individual is a critical part of making the smooth transition, and Mr. Milone noted the person has already undertaken the duties for quite some time...and this formalizes it and adds more strength to the organization.

VOTE The motion passed 8-1; Ruocco opposed.

**P. Appointment of Regional Water Authority Policy Board Representative**

MOTION by Mr. Bowman; seconded by Mr. Ruocco.

BE IT RESOLVED, that the Town Council approves Resolution #121316-17

RESOLUTION #121316-17

BE IT RESOLVED, that the Town Council hereby appoints Tim Slocum of 1285 Lilac Court, Cheshire CT as Cheshire's representative to the Regional Water Authority Policy Board for the term January 1, 2017 to June 30, 2019 to fill the vacancy of David Borowy.

Discussion

Mr. Bowman explained that David Borowy is resigning from the Policy Board. There is one representative from each of the 20 municipalities in our region and one member appointed by the Governor. This Board votes are weighed based on the formula which considers the number of customers and amount of land owned in each municipality. Cheshire has five (5) votes on the Policy Board. The Board operates through three permanent committees...Finance, Land Use and Consumer Affairs.

The question of this being precedent setting, with a sitting Town Council member holding an appointed position on a Policy Board, was raised by Ms. Linehan. She asked Mr. Slocum why he wants this position.

There are no instances in Cheshire and Mr. Slocum said there is no conflict with the Charter, but many instances on the Policy Board itself. He wants the position because he was asked; it is worthy of consideration; and Mr. Borowy was appointed by a former Council and has served for a long time. From a public perspective, RWA is a budget item, is a public service to many people in the community, it is a land owner, so there are many reasons his role can bring something to the table of the Policy Board. Mr. Slocum said this is another responsibility which he is capable of taking on.

With this being a budgetary item, and Mr. Slocum Chairman of the Council Budget Committee, Ms. Linehan said she is not at ease with this appointment.

Chairman Oris' understanding is that this is his appointment, ratified by the Council, and Mr. Slocum expressed interest. Outgoing Board member, Mr. Borowy, thought Mr. Slocum to be an excellent addition to the Policy Board. Mr. Oris commented on Mr. Slocum bringing the skill set to represent the community, and will do a good job. If there is any blame or errors in the vetting process, Mr. Oris said they should look at him.

Questions were raised by Mr. Talbot, not about qualifications or appointments, and asked for the date of the next RWA Policy Board.

Mr. Slocum cited the next meeting, at which he would be a member, is January 18th.

At this point, Mr. Talbot asked to table the matter to the Council's January meeting, which would still allow the appointment of Mr. Slocum to be effective for the RWA meeting of January 18th. He wants this to be discussed with the Town Attorney and the item tabled.

It was pointed out by Mr. Slocum that the Town Attorney informed him there was no conflict with his appointment to the Policy Board.

Mr. Bowman stated the RWA has a non-profit board, no different than other non-profit entities, which he does not believe Council members are precluded from with membership. Duties of the Board include appointment of five members to serve on the RWA, approval and sales, rate increases, bond sales, any capital project in excess of \$2 million, appoint officer of consumer affairs as well as external auditor, ratify appointment of chief executive officer.

VOTE on the motion to table the matter. In favor four - (4) Ecke, Flynn-Harris, Linehan, Talbot; opposed five (5) - Bowman, Nichols, Oris, Ruocco, Talbot.  
The motion failed to pass.

Because this is an appointment, Mr. Talbot asked if Mr. Slocum can vote on his own appointment. There are issues which Mr. Talbot is not comfortable with...but he is not opposed to the appointment.

Attorney Smith asked if there is any compensation with the position on the RWA Policy Board.

In reply, Mr. Slocum said there is compensation associated with the position.

Attorney Smith said this is an important point in determining whether Mr. Slocum has a personal interest in the appointment.

Mr. Talbot clarified that this would preclude Mr. Slocum from voting on the motion.

It was stated by Ms. Flynn-Harris that Town Attorney Smith should look into this further to determine if there is a conflict, since there is a compensation issue.

Chairman Oris stated his understanding that Mr. Slocum asked for an opinion from the town attorney if this was acceptable for him to do, and it was "yes". The opinion did not obligate Mr. Slocum to recuse himself from a vote. At this point, it sounds like it is okay for Mr. Slocum to put his name forward for this position. Now, Attorney Smith is aware there is some compensation, and says Mr. Slocum should recuse himself from his own appointment...he asked if this is correct.

Attorney Smith responded that under the Town's Conflict of Interest ordinance, any member should recuse themselves from a vote, the result of which would mean compensation for that person.

Under this statement, Chairman Oris said the Council erroneously voted to table this agenda item for further discussion...because Mr. Slocum voted. He asked if this is what is being said.

In response, Attorney Smith said Mr. Slocum could vote on tabling the motion.

Based on this information, Mr. Talbot wants to re-vote on tabling the agenda item...there may be a different outcome if there is time to vet this out. He wants to hear this out more; it is not personal towards Mr. Slocum; it is not his qualifications. This is the first time Council has seen this issue, red flags went up, and questions need to be asked and more information provided.

Mr. Slocum stated we are at a point where he is uncomfortable with the matter, and wants the support of his colleagues. In that regard, Mr. Slocum would want the Council to deliberate in such a way to have the opportunity to make an informed decision. He will accept the decision of the Council if this is not the best place for him.

It was stated by Mr. Ecke that the point has been made and Mr. Slocum clarified his position. He voted to table because he thought there were questions to be cleared up...and if the matter is up for a vote tonight he would vote in favor of Mr. Slocum going on the Policy Board.

MOTION by Mr. Talbot; seconded by Mr. Bowman

MOVED to table this matter pending further information.

(Mr. Slocum recused himself from further discussion and action, and left the Chambers)

VOTE In favor - 7; opposed - 1 (Oris). The motion passed.

For the record, Chairman Oris stated he is less bi-partisan than former chairs of the Council. If there are any resulting issues he accepts the blame, and said maybe the matter should have been vetted further by the Chairman.

## **10. TOWN MANAGER'S REPORT AND COMMUNICATIONS**

### **A. Monthly Status Report - in Council packets**

### **B. Department Status Reports: Police, Fire, Fire Marshal. In Council packets**

### **C. Other Reports**

Monthly Financial Report - the numbers look consistent with the quarterly report; supplemental motor vehicle tax was calculated and will generate \$200,000+ more than budgeted; the State motor vehicle listing is still not 100% accurate. For the first five months of the fiscal year pool fees are almost \$240,000, which is \$40,000 more than anytime since 2004.

Public Works Projects Status Report - East Johnson Avenue Bridge opens on Wednesday, December 21st; sidewalk crossings on South Main Street are completed, and the town is waiting for the lights to be activated; there was no financial support from the State, only technical support. West Main Street sidewalk is completed and it will be heavily used.

(Ms. Linehan left the meeting at 10:45 p.m.)

Linear Trail is open; dedication was held a few weeks ago; it is getting a lot of use.

STEAP Grant - Cheshire did not receive this grant; the town will reapply next year.

Regional Water Authority - the installation program by RWA for installation of new meters will be taking place for water clients through the Authority. There will be letters to residences and businesses informing people of the installation. The Town will meet with RWA representatives next week to insure protocols are in place, and people can check with the CPD to insure legitimacy.

Pre-budget Planning Meeting - will be scheduled for January 2017.

Streetlights Acquisition and Conversion - the program is more effective than expected; \$22,000 to \$25,000 per month costs before acquisition of the lights; now paying \$3,500 a month; the program is working extremely well.

GFOA - the town budget received the Distinguished Budget Award; this is the 18th consecutive year of Cheshire Finance Department receiving this award; it is very significant to achieve, and Mr. Milone acknowledged the great job done by Mr. Jaskot and his staff.

Town Hall Closed - December 26, 2016, Christmas Day observed, and January 2, 2017, New Years Day observed.

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

MOVED that the Town Council extend the meeting beyond the 11:00 p.m. curfew until the conclusion of business.

VOTE           The motion passed unanimously by those present.

**11. REPORTS OF COMMITTEES OF THE COUNCIL.**

**A. Chairman's Report**

Paul Bowman - Charter Revision Commission - Mr. Bowman reported the commission meets twice a month, is working through chapters of the Charter; a public hearing will be held on January 26th in Council Chambers. The commission has held discussion on chapters 1 and 2, residency requirements of the Town Manager and Superintendent of Schools, term limits of the Town Council, removal of Council district seats. The next meeting of the CRC is January 11, 2017. Minutes of the CRC meetings are distributed to the Council by the clerk.

Peter Talbot - Solid Waste Committee - there has been discussion with the current contractor about automated trash pickup and bulky waste pickup. Covanta in Wallingford is currently taking town trash, and there is discussion about taking our trash to the Bristol facility.

Attorney Smith reported he would be talking to the Covanta attorney this week regarding provisions of the contract, and will inform the Council of the discussions.

Patti Flynn-Harris - Ordinance Review Committee - there were many items brought forward from ORC this month; there are still items pending including discussion about a blight ordinance.

**B. Miscellaneous**

**12. MISCELLANEOUS AND APPOINTMENTS**

**A. Liaison Reports**

Pension Board - Mr. Ruocco commented on the hard work of this Board to keep the pension plan healthy.

WPCA - Mr. Slocum reported the Authority is considering street map changes and going through an investigative process.

Arts Place - Ms. Flynn-Harris reported they are taking donations for the Giving Tree.

**B. Appointments to Boards and Commissions**

**13. TOWN ATTORNEY REPORT AND COMMUNICATIONS**

Attorney Smith reported on the closing of the Chapman Property last week.

**14. COUNCIL COMMUNICATIONS**

**A. Letters to Council.**

**B. Miscellaneous**

**15. ADJOURNMENT**

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

MOVED to adjourn the meeting at 11:10 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

---

Marilyn W. Milton, Clerk