

MINUTES OF THE CHESHIRE TOWN COUNCIL SPECIAL MEETING HELD ON TUESDAY, AUGUST 27, 2013, AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Tim Slocum, Chairman; David Schrumm, Vice Chairman; Michael Ecke, Patti Flynn-Harris, Andrew Falvey, Sylvia Nichols, Thomas Ruocco, James Sima, Peter Talbot. Staff: Town Manager Michael A. Milone, Finance Director James Jaskot; Deputy Finance Director Gina DeFilio; Vincent Masciana, Director of Management Services, Dept. of Education.

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. ADOPTION OF FISCAL YEAR 2013-2014 FIVE YEAR CAPITAL EXPENDITURE PLAN AND ANNUAL CAPITAL EXPENDITURE PLAN.

Mr. Schrumm explained that there are two resolutions for the Five Year Capital Plan and Annual Capital Expenditure Plan (CEP). The Five Year Plan lays out the major capital projects for the next five years for planning purposes, bonding and spending needs. Year #1 of the Plan is projects which will start in the next 12 months.

There are 27 items in the first year of the CEP. Mr. Schrumm stated the projects.

1. \$50,000 Capital Planning – funding for planning for large projects.
2. \$100,000 Property Revaluation – reserve money for legal appeals.
3. \$651,000 Technology Reserve Fund – step 3 of town wide and district wide Technology upgrade.
4. \$242,000 Vehicle Replacement – various department's rolling stock.
5. \$125,000 Removal of underground oil tanks.
6. \$230,000 Parking Lot Improvements – Town Hall, ArtsPlace, Fire Department, Public Works Garage.
7. \$50,000 Open Space Land Management.
8. \$125,000 Firefighting Equipment and Protective Clothing.
9. \$150,000 Public Works Vehicles and Equipment
10. \$850,000 for Replacement of Blacks Road Bridge
11. \$1,750,000 Road Repavement; appropriation to repave roads
12. \$350,000 Public Works Dump Trucks (2)
13. \$1,102,000 Linear Trail Expansion – majority of funding coming from State and Federal governments.
14. \$300,000 Mixville Dredging Project
15. Pool Building Roof Repairs – over mechanical room.

16. \$350,000 Cheshire High School Athletic Complex Improvements – construction of facility; ADA compliance improvements for bathrooms, concession stand and grading.
17. \$150,000 Replacement of Critical Telephone and PA Systems – school district replacement for safety reasons.
18. \$300,000 Cheshire High School Science Labs and Classrooms – improvements.
19. \$200,000 District Wide Roof Repairs.
20. \$300,000 West Gym Floor Replacement.
21. \$240,000 District Wide 21st Century Classroom.
22. \$300,000 Repaving of Driveways and Parking Lot Areas.
23. \$250,000 District Wide Indoor Air Quality Improvements (flooring)
24. \$250,000 District Wide Chimney and Masonry Repairs.
25. \$25,000 District Cafeteria Improvements – planning money.
26. \$3.2 million Tension Membrane Pool Facility
27. \$150,000 Building Improvements.

MOTION by Mr. Schrumm; seconded by Mr. Ruocco.

BE IT RESOLVED, that the Town Council approves Resolution #082713-1

RESOLUTION #082713-1

The Resolution, Items 1 through 27, is attached to these minutes.

Discussion

Mr. Talbot stated that the capital budget is good and includes necessary items, but he will not vote in favor of this budget because of what is not in the budget - \$980,000 for the aerial ladder truck for the Fire Department, as requested by Chief Casner over many years. This year the truck is in year #2 of the CEP. He commented on the expertise and knowledge of department heads who bring capital requests before the Council. This is a Cheshire issue and he is uncomfortable with 9 people telling 29,000 people they will be safe. The aerial ladder truck can still be a referendum question in November with restoration of this request into the capital budget, letting the people decide whether or not they want this apparatus.

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

MOVED that the Town Council reinstate the \$980,000 appropriation to the Annual Capital Expenditure Budget for FY 2013-2014 for purchase of an Aerial Ladder Truck.

Discussion on the Motion

Mr. Falvey is not opposed to discussing another fire truck, knows how insurance rates work, has endured a house fire of his own and a neighbor, and questions whether a new truck is needed because the Chief asked for it. There are 27 CEP items, \$10 million in spending, bonding of \$3.6 million not including referendum items, \$1.1 million

of capital projects funded through CNR, \$6.4 million in referendum items, and the Town has a \$100 million operating budget. This is a lot to ask of people still struggling in this economy, while adding another \$1 million to the borrowing list. Mr. Falvey wants to wait until it is known, for a fact, that the Town needs a fire truck, and noted the fire department wants other things including a north end fire station. He is opposed to adding the fire truck to an already onerous dollar amount being requested of the citizens, and this would not be in the best interests of the people of Cheshire.

Regarding the fire truck, Mr. Sima said a list of fire equipment inventory from towns in Connecticut was given to the Council, and a few of them have less than Cheshire. This truck was moved out of the CEP last year, and this year there are two pieces of firefighting equipment in the plan. He has talked to Chief Casner, and there are many things and needs to be discussed for the department. This \$1 million purchase should be vetted more before going into the first year of the CEP, and more investigation done.

Ms. Flynn-Harris wants people to understand that the Chief and volunteer fire department need to do a better job in getting information out on their needs. There is information on what is needed – additional and new truck to get to higher elevations and residences for roof fires, and there are some questions as to fire safety. Questions on the fire department needs could have been asked during the Chief's presentation to the Council. She supports the amendment. Her negative vote on the CEP is not against the municipal pool, and if the fire truck is not passed she will vote against the capital budget.

Ms. Nichols agrees that more questions need to be asked of department heads, and she has met with Chief Casner. More attention needs to be paid to requests and investigation of them. She has come to the conclusion that the fire truck issue needs to be looked into and researched further. Ms. Nichols will not support the amendment to the motion because she does not want other things to be let go in the plan.

Mr. Ecke noted that the fire truck has been pushed out 4 years in a row; that the Chief has presented studies which state Cheshire needs a new aerial ladder truck; and last year the truck was out of the five year plan. He said the Chief has needed this equipment, and now, it will be studied with hopes of a new truck in the next 4 years. The existing truck has problems and is sometimes unavailable for fire service, with the Town depending on Southington and Wallingford for fire call responses.

VOTE on the amendment to the motion: In Favor – 3; Ecke, Flynn-Harris, Talbot.
Opposed – 6; (Slocum, Schrumm, Nichols, Ruocco, Falvey, Sima).
THE AMENDMENT TO THE MOTION FAILED TO PASS.

MOTION by Mr. Sima; seconded by Mr. Ecke.

MOVED that the Town Council remove CEP Item #26, Tension Membrane Pool Facility, \$3.2 million, from Resolution #082713-1, and consider it as a separate CEP item.

Discussion on the amendment to the motion

Following a brief discussion, it was determined that it was allowable to proceed with removal of an item from the original resolution. Mr. Milone said there is no prohibition from segregating items and voting on them separately.

Mr. Falvey has no issue with removal of the pool from the capital budget and have a second motion just for the pool because of the amount of public support for this project, and its high profile nature.

Mr. Sima commented on differing opinions stated on the fire truck issue, noting that his concerns are about changing the process.

VOTE on the amendment to the motion: In Favor – 6; Nichols, Sima, Falvey, Flynn-Harris, Ecke, Talbot; Opposed – 3; Ruocco, Slocum, Schrumm.

THE MOTION TO REMOVE ITEM #26 FROM THE RESOLUTION PASSED.

There were now 26 items in the annual capital expenditure plan for Council vote.

On the 26 items, Mr. Ecke said he will not vote in favor. He cited reasons for this decision including lack of a facilities plan for Town and BOE buildings, at \$100,000; \$150,000 removed for water mains and hydrants which are safety concerns and a worthwhile project; and reduction in the funding (number taken out of the air) for the high school athletic complex project to \$350,000 for new bathrooms, concession stand, site grading and storage and ADA compliance.

Mr. Schrumm commented on the \$350,000 number for the high school athletic complex project which will be ADA compliant. The number came from discussions with the BOE; there was a tour of the facilities; and based on discussions with architects and builders, it will be a nice facility. The number was not taken out of the air.

Stating he missed the facility tour, Mr. Ecke said the \$350,000 number first came up at the August 22nd meeting. He withdrew his support and will not vote in favor of the first year of the CEP.

Chairman Slocum discussed the high school project, the concession stand of about 1000 sq. ft., new bathrooms and grading of the site for \$350,000 which will be adequate for this project. He noted that Mr. Masciana, BOE representative, is content with this number, and the BOE has been directed to spend \$350,000 for the project without requests for additional funding. The goal is to try to build in a discipline and take responsibility for spending.

VOTE on Resolution #082713-1 (26 items). In Favor – 6; Slocum, Schrumm, Falvey, Nichols, Ruocco, Sima; Opposed -3; Ecke, Flynn-Harris, Talbot.

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

MOVED that the Town Council approves CEP Item #26, Tension Membrane Pool Facility, \$3.2 million, for the Cheshire Community Pool.

Discussion

Mr. Sima was familiar with the project having followed a record of the meetings and being present at the CCP presentation on the pool project. He is opposed to the tension membrane structure; the funding is not enough for the project; he supports a polycarbonate structure which is about \$2 million more in cost. This is a huge structure, 53 feet high; requires a mechanical refrigeration (air conditioning) inside the facility; has a huge electrical demand with large motors for the a/c space; has no insulation; will use lots of solar loading; has 4 ventilators on the south side of the building to handle hot air inside the structure which will be running to make the facility comfortable. At the CCP decision meeting there were two votes against the tension membrane facility, with one HVAC expert voting against it. The structure will have high energy costs, heating in the winter and cooling in the summer. This is a steel structure holding up the membrane, which is difficult to maintain. Mr. Sima thinks Cheshire will end up with a structure costing more, when it could save \$170,000 annually in energy costs with the better polycarbonate structure at a cost of \$5 million.

Stating she is not an HVAC person, but sat at all the CCP meetings, and listened to professionals in the pool business, Ms. Nichols said the polycarbonate is a better structure, but was not palatable to the community. She is unsure why the expert voted against the tension membrane structure. The committee had concerns about costs, energy consumption, useful life of the pool, and the tension membrane was the best alternate solution at a reasonable cost. It is a proven structure; will be sufficiently insulated; and all issues of energy consumption, ventilator fans running all the time in the summer, etc. were discussed by the committee. If the project goes forward, it will need community support, and insurance that correct facts and information are given to the public.

Mr. Ecke commented on four choices of the CCP, and the selection of the tension membrane structure as the preferred option, and because of the costs. He supports the pool project going to the public for a decision, and encouraged people to vote on the project, as the Town has a great asset in the community pool. CCP will continue to work hard to get out the votes for the pool.

Mr. Ruocco supports the pool referendum item going to the public for a vote, noting the committee worked hard to earn the right to a public vote on the pool. This committee was a good representation of the citizens of Cheshire. Now, CCP must market the proposal, and he believes this will be an uphill battle. There are some merits to the

proposed structure, good physical impacts, reduction of subsidy, and a pool which will outlast the debt service. Mr. Ruocco said it is incumbent on everyone to participate in the referendum.

Chairman Slocum expressed appreciation to the members of the pool committee, CCP, for their hard work and diligent efforts and recommendation of the tension membrane option to the Council. This project is a good solution to the problem, is a saleable and viable solution, and he will support this project.

VOTE on Item #26 of the CEP. In favor -8; opposed 1 (Sima).
THE MOTION PASSED 8-1.

MOTION by Mr. Schrumm; seconded by Mr. Ruocco.

BE IT RESOLVED, that the Town Council approves Resolution #082713-2

RESOLUTION #082713-2

BE IT RESOLVED, That the Town Council adopts the Five Year Omnibus Capital Expenditure Plan for Fiscal Years 2013-2014 through 2017-2018 in accordance with the recommendation of the Town Council Budget Committee.

Discussion

Mr. Schrumm stated that the total cost of the five year plan is \$51 million.

VOTE In favor – 6; Slocum, Schrumm, Falvey, Nichols, Ruocco, Sima
Opposed – 3; Ecke, Flynn-Harris, Talbot
THE MOTION PASSED 6-3.

4. SUBMISSION OF RESOLUTIONS TO REFERENDUM AND AUTHORIZATION FOR EXPLANATORY TEXT

MOTION by Mr. Schrumm; seconded by Mr. Ruocco.

BE IT RESOLVED, that the Town Council approves Resolution #082713-3

RESOLUTIONS PROVIDING FOR SUBMISSION OF FY 2013-2014 CAPITAL EXPENDITURE BUDGET RESOLUTIONS TO THE VOTERS IN CONJUNCTION WITH THE GENERAL ELECTION ON NOVEMBER 5, 2013.

RESOLUTION #082713-3 – SECTION 1
\$651,000 FOR TECHNOLOGY RESERVE FUND

VOTE The motion passed unanimously by those present.

MOTION by Mr. Schrumm; seconded by Mr. Ruocco.

RESOLUTION #082713-3 – SECTION 2
\$850,000 FOR REPLACEMENT OF BLACKS ROAD BRIDGE
OVER HONEYPOT BROOK

VOTE The motion passed unanimously by those present.

MOTION by Mr. Schrumm; seconded by Mr. Ruocco.

RESOLUTION #082713-3 – SECTION 3
\$1.750,000 FOR ROAD REPAVEMENT PROJECT

VOTE The motion passed unanimously by those present.

MOTION by Mr. Schrumm; seconded by Mr. Ruocco.

RESOLUTION #082713-3 – SECTION 4
\$3.2 MILLION FOR CONSTRUCTION OF A TENSION MEMBRANE
COMMUNITY POOL FACILITY

VOTE The motion passed 8-1; Sima opposed

5. FY 2012-2013 OPERATING BUDGET TRANSFERS

MOTION by Mr. Schrumm; seconded by Mr. Ruocco.

BE IT RESOLVED, that the Town Council approves Resolution #082713-4

RESOLUTION #082713-4

BE IT RESOLVED, that the Town Council approves the F.Y. 2013-2014 budget transfers as presented and attached.

Discussion

Mr. Schrumm reported that this is an annual end of the year action of the Council. The Town takes shortfall from some budgets to fill in the gaps of other budget overages. This action must be taken before the end of August. On an almost \$100 million operating budget, there is a total of \$364,000 in underages and overages. This is good accounting, and Mr. Schrumm thanked Town Manager Milone for his management of Town finances.

Mr. Milone explained that the document shows how CNR funds will be spent over the next 5 years. In Fiscal year 2014, based on the analysis, the CNR balance will be \$48,000; there is \$1.1 million appropriated and the Council has allocated all but \$48,000 of this amount. The vote of adding \$75,000 into CNR will total \$223,000 in the CNR account. The Council is not, necessarily, increasing the appropriation of \$1.1 million. This is taking money appropriated this year, not designated to be spent, and moving it into CNR so it can be used in a future year.

Chairman Slocum clarified that next year in the operating budget when the Council is determining the CNR in the budget process, they will know that there is \$175,000 plus \$48,000 available in the actual funding of the budget, less than the \$1.1 million.

Mr. Milone said the Council can reduce it, or still fund it at \$1.1 million, and know there is a balance of \$223,000 to work with at the start of the process. This is the call of the Council.

VOTE The motion passed unanimously by those present.

6. ALLOCATION OF \$15,600 FROM THE CAPITAL PLANNING ACCOUNT FOR THE COMMUNITY POOL EVALUATION COMMITTEE FOR DESIGN FUNDS.

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

BE IT RESOLVED, that the Town Council approves Resolution #082713-5

RESOLUTION #082713-5

BE IT RESOLVED, That the Town Council allocates \$15,600 from the Capital Planning Account for additional design funds for the Community Pool Evaluation Committee.

Discussion

John Purtill, Co-Chair of the Cheshire Community Pool Evaluation Committee (CCP) thanked the Council for bringing the pool dome to the public for a vote. This \$15,600 request is for design fees. CCP had requested \$30,000, and \$15,000 was approved and spent. For the rest of the project there is the need to finalize costs and for the RFP process, with contractors and suppliers coming in to make proposals to the Town. One of the trade offs to be decided is the insulation factor, with plans to insulate the facility to R-35. How far the insulation will go depends on the trade off between transparency and energy savings. The funding includes a contingency plan that deals with what is done if the referendum passes, or fails.

Ms. Nichols asked about supporting this request with information about how the funds will spent. One detail of concern is support of the marketing efforts of the committee, and Ms. Nichols pointed out that public funds cannot be used for marketing efforts.

In that regard, Mr. Purtill said that it is understood that funds can be used for the consultant for what the committee needs.

According to Mr. Slocum it is the assumption that much of the money will go towards the consultant assisting in the process.

Mr. Purtill advised that CCP has an expensive RFP process for selection of the contractor/vendor to be used for the project.

VOTE The motion passed 7-2; Sima and Ruocco opposed.

7. **ADJOURNMENT**

MOTION by Mr. Falvey; seconded by Mr. Talbot.

MOVED To adjourn the special meeting at 8:52 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk