

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 10, 2015 IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARINGS IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Tim Slocum, Chairman; David Schrumm, Vice Chairman; Council Members Patti Flynn-Harris; Liz Linehan, Sylvia Nichols, Robert Oris Jr., Thomas Ruocco, James Sima, Peter Talbot.

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

**2. PLEDGE OF ALLEGIANCE**

The group Pledged Allegiance to the Flag.

**3. PUBLIC COMMUNICATIONS**

**A. Public Comments**

Chairman Slocum read a proclamation into the record honoring the 75th Anniversary of the Cheshire Rotary Club, February 12th.

Linda Sivey-McDonald, Rustic Lane, addressed the Council on the toxins being emitted by 23 volt transformers installed by CL&P in her neighborhood, and questioned why they are 23 volts as opposed to lower voltage. She commented on odors in her neighborhood, stores, restaurants, and other states she has visited, and the toxic effect on people living in Cheshire. She said the Town Manager should investigate the issues.

Chairman Slocum thanked Ms. McDonald for her comments, and recommended she contact CL&P as this issue is part of their upgrade program. No one on the Council can answer the questions she posed.

**4. CONSENT CALENDAR**

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-1

RESOLUTION #021015-1  
CONSENT CALENDAR FOR FEBRUARY 10, 2015

BE IT RESOLVED, that the Town Council approves the Consent Calendar for February 10, 2015 as follows:

- A. Acceptance and appropriation of aggregate donations of \$350 from Kathy Restorff and Cathleen Devlin in honor of Joan Devlin to the Library Gift

Account for an entrance sign to the Children's Room.

- B. Acceptance and appropriation of a donation of \$120 from the Town Employees December Dress Down Fund to the Human Services Gift Account for general purposes.
- C. Acceptance and appropriation of a \$72 donation from Robert Hammerman to the Parks & Recreation Gift Fund for a memorial bench for Linder Hammerman.
- D. Acceptance and appropriation of an aggregate \$20 donation through holiday cards with monetary gifts to the Jitney Bus Fund.
- E. Acceptance and appropriation of a Connecticut Department of Transportation 2015 Fiscal Year Connecticut Highway Safety Plan reimbursement grant for \$63,975.56 for the Police Department's "Electronic Citation/Electronic Warning" project and authorization to execute all necessary documents.
- F. Acceptance and appropriation of \$10,000 from the Bright Idea Grant through the Clean Energy Communities Program's Energy Efficiency Track and authorization to execute grant contract.
- G. Acceptance and appropriation of a \$500 donation from the First Congregational Church to the Cheshire Fuel Bank.
- H. Acceptance and appropriation of an anonymous \$50 to the Human Services Gift Account for general purposes.
- I. Acceptance and appropriation of a \$5,000 donation from Alexion Pharmaceuticals Inc. to the Police Gift Account for general purposes.
- J. Authorization to execute Memorandum of Understanding for participation in the Greater Waterbury Transit District joint application for the Municipal Grant Program for Senior and Disabled Demand Responsive Transportation from the Connecticut Department of Transportation.

VOTE           The motion passed unanimously by those present.

**5. ITEMS REMOVED FROM THE CONSENT CALENDAR**

**6. OLD BUSINESS**

**A. Conflict of Interest disclosures**

Mr. Talbot read a statement into the record in response to comments made by Mr. Slocum and Mr. Schrumm about his possible conflict of interest, and cited the following facts. His wife is an Instructional Assistant working at Darcey School, is employed by the Cheshire Public Schools, and a member of the IA-CSEA/SEIU 201/760 union. The

IA contract is negotiated between the union and BOE and cements all financial conditions, benefits and working arrangements per the terms of the union agreement. It was clarified by Mr. Talbot that the IA contract was approved prior to his term on the BOE, and no IA contract has come before the Council for approval. Mr. Talbot stated he has consulted with former Town Attorney Dwight Johnson and current Town Attorney Alfred Smith for a formal legal opinion. He was told the same thing by both attorneys -- because IA positions are under a union contract, their pay and benefits are locked in regardless of what happens with the BOE budget. Mr. Talbot said his vote on the BOE budget does not have a financial impact on his wife. It was pointed out by Mr. Talbot that there has been no reference made to Mr. Sima whose daughter is a teacher in the school system and he voted on the BOE 2014 budget. Mr. Sima did disclose his daughter being a Cheshire teacher at a recent Council meeting. Mr. Talbot pointed out that the teacher's contract does come before the Council for approval.

Council members were encouraged by Mr. Talbot to ask Attorney Smith about their personal possible conflict of interest issues.

## 7. NEW BUSINESS

### A. Amendments to the Elderly Tax Relief Ordinance Section 17-6

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-2

#### RESOLUTION #021015-2

BE IT RESOLVED, that the Town Council approves the following amendment to the qualifying incomes and the extension of the Local Elderly Property Tax Credit Program Ordinance Section 17-6:

***Sec. 17-6. Property Tax Relief: owner's abatement program for certain elderly and/or disabled homeowners.***

*(a)(11) This section (17-6) shall be in effect for the Grand List of October 1, 2014 for FY 2015-2016 until September 30, 2015 at which time it shall automatically be repealed.*

This amendment will take effect 21 days after publication.

#### Discussion

Ms. Nichols stated this is a continuation of the existing policy and everything remains in effect.

VOTE           The motion passed unanimously by those present.

### B. Amendments to the Elderly Tax Freeze Ordinance Section 17-15.

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-3

RESOLUTION #021015-3

BE IT RESOLVED, that the Town Council approves the following amendment extending the Elderly Tax Freeze Ordinance Section 17-15:

**Sec. 17-15. Elderly Tax Freeze.**

- (a) *Pursuant to the provisions of Connecticut General Statute 12-170v, eligible elderly homeowners may apply, and if qualified, pursuant to said such statute, receive property tax relief as set forth in said Statute for taxes due on the Grand List of October 1, 2014 for Fiscal Year 2015-2016.*
- (b) *This section shall be in effect until September 30, 2015, at which time it shall be automatically repealed.*

This amendment will take effect 21 days after publication.

Discussion

Ms. Nichols stated this is a continuation of the existing policy and everything remains in effect.

VOTE           The motion passed unanimously by those present.

- C.     Call for Public Hearing for the FY 2015-2016 General Operating Budget, Water Pollution Control Department Fund Operating Budget, and Community Pool Fund Operating Budget.

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-4

RESOLUTION #021015-4

BE IT RESOLVED, that the Town Council will hold a public hearing at 7:30 p.m. on Tuesday, March 31, 2015, in Council Chambers, Town Hall, 84 South Main Street, Cheshire, Connecticut, to consider the proposed General Fund Operating Budget for Fiscal Year 2015-2016, the proposed Water Pollution Control Department Fund Operating Budget for Fiscal Year 2015-2016, and the Community Pool Fund Operating Budget for Fiscal Year 2015-2016.

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

VOTE           The motion passed unanimously by those present.

Mr. Schrumm informed the Council that the schedule of budget workshops will be noticed by the end of this week.

D.     Approval of successor lease for a portion of the former Casertano property.

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-5

RESOLUTION #021015-5

BE IT RESOLVED, that the Town Council approves the successor Lease Agreement for January 1, 2015 through December 31, 2015, with Alex Arisco, for a portion of the former Casertano property for agricultural purposes, under the terms as presented and attached.

Discussion

Mr. Sima explained that this is extension of a lease with a 10% increase in the rent to Mr. Arisco, the tenant. He commented on the fact that Mr. Arisco takes good care of this property and has made improvements to the property.

It was noted by Ms. Flynn-Harris that the Council talked about looking into the fair market value of town properties, and she was impressed that the increase was offered by the tenant.

A question was raised by Mr. Oris about environmental issues with the lessee and how this is gauged.

There is no baseline to compare what is going on now and when the Town purchased the property, and Mr. Milone said we cannot ascertain a defined impact on the property. He will have Ms. Simone, Environmental Planner, visit the property and speak to Mr. Arisco. With the proposed updates of the open space management plans, he said there will be money required to insure Town properties are being managed properly, along with environmental impacts, if there are any.

Mr. Sima suggested going through the leases and insuring properties are insured and there is enough coverage should anything happen.

VOTE           The motion passed unanimously by those present.

E.     Approval of traffic easement granted to the State of Connecticut for a pedestrian signal control at Route 10 and Maple Avenue.

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-6

RESOLUTION #021015-6

BE IT RESOLVED, that the Town Council approves a Defined Traffic Easement with the State of Connecticut at Highland Avenue and Maple Avenue under the description and terms presented and attached, and further authorizes Town Manager Michael A. Milone to execute said Easement documents.

Discussion

Mr. Sima advised this is a 25 sq. ft. easement for traffic changes and new electronic connections with a pedestrian signal with audio and lighting.

VOTE           The motion passed unanimously by those present.

F.       Authorization for bond refunding sale.

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-7

RESOLUTION #021015-7

**RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$6,000,000 TOWN OF CHESHIRE, CONNECTICUT GENERAL OBLIGATION REFUNDING BONDS.**

**(A copy of the resolution is attached to these minutes)**

Discussion

Mr. Jaskot informed the Council this is an opportunity to refund these bonds, at lower rates, than when the bonds were issued. There will be about \$360,000 savings over the life of the bonds. The 2009 bonds had 4.18% rate with coupons, and with the refunding the rate will be 2% to 3% interest. The Council resolution gives Town officials the authority to move forward with the bond refunding sale on February 12th. The Council was advised that the Town of Cheshire has received a AAA rating from Standard & Poors. It is hoped there will be excellent rates on the bonds this week and for future bond sales. These bonds are not callable until January 2017; the proceeds go into an escrow account until January 2017; and the escrow will pay off the bonds.

Mr. Milone reported that, in aggregate, six (6) refundings have generated \$4.2 million in savings. The rates continue to be very low and the Town wants to take advantage of the rates.

VOTE           The motion passed unanimously by those present.

G.     Award of construction contract for the Cheshire High School Locker Room Project.

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-8

RESOLUTION #021015-8

BE IT RESOLVED, that the Public Building Commission is hereby authorized to accept the low bid of Diversity Construction Group of Cheshire, Connecticut, in the base amount of \$697,000 and award the construction of the Cheshire High School Locker Room Project to said vendor, as recommended by the Public Building Commission, and further authorizes the Town Manager to execute the contract pursuant to this award and the Town's Bid Documents, upon the approval by the Town Attorney as to form and legal sufficiency.

Discussion

Mr. Sima explained that Diversity is a local company, and was the low bidder out of 6 bids (\$700,000 to \$980,000). The company was researched, has worked in the southern parts of the State, and BL Company questioned the company to insure they could handle the job. Another bidder was within \$10,000 of Diversity, and PBC chose Diversity. There is \$10,000 built in for contingency and \$40,000 left over for a total \$50,000 contingency.

VOTE           The motion passed 7-2; Flynn-Harris and Talbot opposed.

H.     Authorization to go to bid for masonry repairs at several schools.

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-9

RESOLUTION #021015-9

BE IT RESOLVED, that the Town Council authorized the Public Building Commission to go to bid for the construction for the District Wide Sidewalk and Masonry Repairs capital project.

Discussion

Mr. Sima stated that the PBC asked the former contractor to hold the bid prices and they would not, so the project is out to bid for the work.

Ms. Flynn-Harris understands there are scheduling cited concerns. She asked about the buildings needing exterior work, and whether the proposed work should be on hold pending a final review of other structural conditions with these buildings.

This is mostly chimney work, sidewalks and painting and Mr. Sima said the BOE was present during discussions and is in agreement with getting this work done.

Ms. Flynn-Harris understands there were 3 bids, and the PBC Planning Committee is scheduling the recommended companies for interviews.

VOTE           The motion passed unanimously by those present.

I.       Award of design work for Senior Center Basement Improvements Project.

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-10

RESOLUTION #021015-10

BE IT RESOLVED, that the Town Council approves the award of design work for the Senior Center Basement improvements project to Salamone and Associates at a cost of \$14,900, and further authorizes Town Manager Michael A. Milone or his designee to execute the contract for said work.

Discussion

Mr. Sima stated that Salamone was the lower bidder for the work on the basement and was the design firm for the elevator project. The company is familiar with the building and its issues, and the bid is affordable.

VOTE           The motion passed unanimously by those present.

J.       Approval of agreements between the Town of Cheshire, the Connecticut Department of Economic and Community Development, and Ball and Socket Arts.

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-11

RESOLUTION #021015-11

BE IT RESOLVED, that the Town Council approves the Assistance Agreement by and between the State of Connecticut Acting by the Department of Economic and Community Development and the Town of Cheshire RE: Town of Cheshire Ball & Socket Remediation and Reuse Project, and the subsequent Redeveloper Agreement

by and between Ball & Socket Arts Inc. and the Town of Cheshire, under the terms as presented and attached, and

BE IT FURTHER RESOLVED, that the Town Council authorizes Town Manager Michael A. Milone to execute said Assistance Agreement and Redeveloper Agreement.

Discussion

Attorney Smith stated there are two agreements -- one between the State Department of Economic Development and the Town of Cheshire, in which the State provides the Town with a grant of \$400,000, from which will be deducted the legal and administrative fees of the State. This leaves about \$350,000 for the Town to distribute to the redeveloper, the Ball & Socket Arts Group. The second agreement is the reimbursement agreement to the Arts Group to fund the environmental investigation referred to in the document as the Data Gap Analysis. Most of the negotiations were about protecting the Town, eliminating its obligations and liabilities and no out of pocket costs to the Town for the project. The Town Attorney has negotiated such agreements.

Attorney Smith explained the way it will work. Money is designated for the sole purpose of performing the studies. The Arts Group has contracted with an environmental consulting firm for a fixed fee basis, well less than \$350,000 to complete this investigation. This firm will perform the work, submit documentation satisfactory to the Town and the State. Upon receipt, the Town will reimburse them for the work done.

Mr. Oris commented on funds not being advanced from the Town until the work is completed, invoices provided, and material procured. He said there are requirements to the Town to make sure the money is specifically used for this use only. He asked about some other areas where the Town could be liable to the State for the full amount plus liquated damages equal to 5% of the grant, and asked where those may come into play. If Ball & Socket was bankrupt or filed for receivership, Mr. Oris asked if the Town would fully fund it or fund that work done, and wouldn't be at risk there...or would not have funded it and would still be okay. He asked if this was an accurate assessment.

In reply, Attorney Smith said events of default have to do with failure of the Town to do certain things...if the Town went into receivership or declared bankruptcy...or if the Town were to breach the agreement with the redeveloper after receiving appropriate documentation and refused to pay the obligations. The State can come back after the Town, as this would be an instance of default.

A concern was cited by Mr. Oris with this being a not-for-profit group and in default what are the additional liabilities for the Town. He believes the Town is well protected.

According to Attorney Smith the greatest protections are the fact that it is a reimbursement provision for a well defined scope of work that is assured by contract to come in below the contracted amount. Fuss & O'Neal is doing the work.

Ms. Flynn-Harris asked about the start date, term within the scope of duration, and time frame for the work and Data Gap information.

Jeff Guimond, New York City resident, and member of Ball & Socket Arts Group, informed the Council the contract is with Fuss & O'Neal to be the remediation engineer for the duration of the entire project. This specific contract/grant will be done as part of the project. The grant limits the scope of the work to the investigation and specific proposal which is not a fixed amount; it is a not to exceed amount. With money left in the grant other work can be done with a new scope of work approved by DECD. It is hoped the investigation is completed at the end of the spring for a firm idea of the property conditions and remediation plans for the property.

Mr. Sima said the Town is not at risk for anymore than the grant numbers.

Attorney Smith stated that was correct.

The Council was told by Mr. Guimond that the total remediation costs will exceed the amount of the grant.

Chairman Slocum asked about any other grant offering by the State and Cheshire finding itself in a similar conduit relationship with this project.

Mr. Guimond explained that the statute has changed, and this grant program is no longer a pass through program, and this is the last time for such a pass through.

A layer of comfort was cited by Mr. Milone. He advised that Town Engineer Gancarz has been involved in many such remediations in his prior private engineering work, and is very involved in this project. He is the person reviewing everything coming to the Town to insure they are consistent with the terms and conditions of the Fuss & O'Neal contract.

Mr. Oris asked whether this property is subject to the Transfer Act.

According to Mr. Guimond it is, and there are several regulatory programs applicable to this property. The Arts Group is working closely with DEEP for stewardship permits, and this work should be completed soon.

VOTE           The motion passed unanimously by those present.

K.       Endorsement of the Naugatuck Valley Council of Governments Regional Performance Incentive proposals.

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-12

RESOLUTION #021015-12

BE IT RESOLVED, that the Town Council endorses the Regional Performance Incentive (RPI) Program proposals listed below:

- Naugatuck Valley Council of Governments Regional GIS Data Development and GIS Website Enhancement
- Senior Citizens Property Tax Loan Program Feasibility Study
- State-wide orthophotography and LICAD data (proposal to be submitted by Capital Region Council of Governments).

AND, BE IT FURTHER RESOLVED, that the Town Council authorizes Town Manager Michael A. Milone to execute all necessary agreements and take all necessary action to enter into a binding agreement with the Office of Policy and Management according to the term of the RPI grant program.

Discussion

Mr. Ruocco said that the COG is getting active and needs municipal legislative body approval to participate in order to move forward with RPI proposals.

Before the Town's GIS system, Mr. Milone explained that there was reliance on the COG regional system. With the upgrade to the COG system, Cheshire has access to more information on a regional basis, do comparative data of other communities, and it opens up lots regional information.

Ms. Flynn-Harris commented on Cheshire having access to the COG system, and only seeing local information.

Mr. Sima questioned whether COG will photograph the entire town again, or if they will take our information we paid for and put it into their system.

The Council was informed by Mr. Milone that COG will not do airplane filming, and does not believe COG will extract information from the town's GIS system. He will confirm this with Assessor Panagrosso and Tax Collector Donlin. Mr. Milone will provide answers to the Council on the questions raised.

Mr. Sima cited his same discomfort when Cheshire finished its GIS system, and presented the information to COG. Someone from COG said people would be taking the data and using it, and since Cheshire paid for it, it should be the town's property.

In response, Mr. Milone does not believe they are extracting our data because the problem is that none of the 17 towns have the same GIS platforms, and some do not even have a platform. What is being designed is a platform that has the same general information for each town based on using this grant to develop it, but not extracting information. Otherwise, there would not be compatibility in the system. The towns are all over the map with progression on individual GIS systems.

Chairman Slocum asked about funding and where it comes from.

The money is sitting there and Mr. Milone advised the State is trying to revitalize the COG organizations after the major reorganization, giving more relevance and vitality to the COG groups.

The Council held a brief discussion on tabling this resolution pending further information to the Council.

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

MOVED to table the motion on the floor.

VOTE           The motion to table passed unanimously by those present.

J.       Recommendations re: RFP Process for purchase of fire truck.

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

BE IT RESOLVED, that the Town Council approves Resolution #021015-13

RESOLUTION #021015-13

BE IT RESOLVED, that the Town Council, pursuant to the recommendation of the Budget Committee, authorizes the Town Manager to utilize a Request for Proposal (RFP) process for the acquisition of the Fire Department Aerial Apparatus Truck.

Discussion

Mr. Schrumm explained that this motion changes the process from a specific bid process to a more generalized RFP process for acquisition of this particular piece of equipment and future equipment. The bid specs will not be as detailed; the process will be opened up; and more bidders will respond. The trend in the industry is to do an RFP, with more offers than with a specific bid, and the process should save money.

Ms. Flynn-Harris extended thanks to Chief Casner for the work he put into outlining the steps for the process to be followed. During budget meetings last year, the Chief discussed this process with a consultant funded out of the referendum money. The evaluator/consultant will review the process and she said this is excellent.

The cost of this consultant was raised by Mr. Oris.

At this time the cost is unknown, but Mr. Milone said the estimate is \$10,000, with no more than this amount spent. The person will be an evaluator, not a consultant, with time spent in a focused/defined manner keeping costs down. Mr. Milone stated that other fire departments are using this approach, hiring an evaluator to question the

quality, etc. of the RFP. If the RFP is satisfactory and meets the conditions, it is put on the street.

With a third party determining what kind of vehicle/equipment is to be purchased, Mr. Oris asked if the Chief and CFD members will participate in the process and discussions.

The Council was told that a committee of CFD members will be formed to generate the RFP, meet with the evaluator, and Mr. Milone, as Town Manager, will also be involved. If the RFP meets the expectations of the evaluator and CFD committee they will make the decision to put it on the street. In order to market this and get responses, Chief Casner will send a letter to all fire truck manufacturers explaining the major departure in the way Cheshire is conducting acquisition of this truck -- the Town is not using the traditional bid specification bidding process, but an RFP process. The process is general and inclusive; the RFP specs are less detailed; and Chief Casner will follow up and encourage people to respond to the RFP. After responses are received, the Chief will contact those vendors who did not respond and find out why. The committee of firefighters and evaluator will review the responses, and decide which vendors to interview. Mr. Milone explained that the role of the evaluator includes collaboration with staff, Chief Casner and the Town Manager, and said the committee will be involved in every step of the process for the acquisition of the fire truck.

Mr. Sima posed a question on the process submitted by the Fire Chief with a \$1 million piece of equipment and the matter never coming back to the Town Council. He said that during the process the Council should be apprised of the decision and what is going on with the process.

In response, Mr. Milone said he will meet with Chief Casner, establish critical milestones, inform the Council of these milestones, with Council informed on what his happening. Also, the Council can request information from the Town Manager throughout the process, and Mr. Milone will submit written and verbal reports to the Council.

**Process for purchase of Aerial Truck for the CFD** - the Council reviewed the process and changes made since the Budget Committee meeting. The person will be called an "evaluator" throughout the process; #6 - reviewed by the Town Attorney; #8 - RFP posted on the web site; #9 - RFPs returned to Town Manager's office; #11 - vendor(s).

Chairman Slocum noted that the Town has always hired an expert to assist with the specs and the selection.

In the past the assistance was at the front end, and Mr. Milone said it is now at the back end where the decision is made and negotiations occur, along with quality control and assurance aspects to insure the RFP is what the CFD wants, without bias to any one manufacturer.

A point was made by Chairman Slocum regarding the Council's role in this project. The Council's role was to put the matter in the capital budget and out to referendum, and now the Town is following the vote on the referendum for the fire truck acquisition.

Mr. Milone said the Council is allowing a change in the manner in which the Town acquires a piece of apparatus.

VOTE            The motion passed unanimously by those present.

**8. TOWN MANAGER'S REPORT AND COMMUNICATIONS.**

**A. Monthly Status Report.**

**B. Department Status Reports.**

**C. Other**

Financial Reports - \$500,000 to \$600,000 surplus; higher tax collection; more ECS funding; \$250,000 State grant will not materialize; PILOT funds being offset by this grant. W.S. Development is optimistic on starting the north end project in the spring or summer, but the Town cannot count on the \$400,000 in building permit fees for this fiscal year. There could be this money in FY 2015-2016. As a result of these changes, it is projected there will be a \$500,000 to \$600,000 surplus.

Snow and Ice Budget - PW budget has taken a hit in the last three weeks due to the snow storms. The Town purchased 800 tons of salt; the non-salary section of this budget has \$20,000 balance; there was \$77,000 in overtime to work with in this division and 70% has been spent.

WPCD Budget - \$652,000 in reserve; the year will end in good shape; expenditure side is unpredictable due to the effect of construction on the operating budget.

Pool Budget - at this point this is an unknown; revenues will not change; the question is cost to heat and maintain the pool; a \$30,000 shortfall is expected; there is \$100,000 in the fund balance to cover this shortfall.

Bond Sale, February 12, 2015 - Cheshire received a AAA rating from Standard & Poors; this credit rating is an integral part of the sale; bond rate is expected to be in the 2.6% to 2.7% range with every 10 basic points a \$5,000 to \$10,000 savings. On the day of the sale Cheshire is the only Connecticut municipality in the market. There will be a report to the Council on Friday morning after the bond sale. Mr. Milone said the result of the upgraded credit rating is a reflection on the people working for the Town, and an important reflection on the Town Council(s) making prudent and consistent financial decisions. Along with this is the development of policies and adherence to them, reliability, credibility, execution of things to be done, expansion of fiscal policies, stronger financial indicators, and support of the legislative body. Mr. Milone thanked

the Council for its support and willingness to do these things, and raise taxes as important factors.

Annual Report - final report in the packets.

CCM Prescription Coverage Plan - through November 2014, Cheshire had 313 claims and \$18,000 savings for residents.

Removal of dead animals in roadway - for animals on Town roads there is a list of responders to contact for removal, and this usually takes place within 45 minutes. On State roads it is a problem without good response from the State. If there is a public safety hazard, after 48 hours, Town PW crews will remove the animal. The Town will not remove dead animals on private property. Mr. Milone will put together a qualifier on the names of people and companies doing animal removal work, but will not make recommendations of people and attest to the quality of their work.

Library Sunday hours update - the average number of items loaned on a Sunday is 855, and the Library is being used heavily by residents.

State Claims Commission Hearing - on February 24, 2015 there will be a preliminary hearing on the Cheshire claim. Attorney Smith informed the Council it is a procedural meeting for scheduling the actual hearing and decision making. At this status conference the parties meet, establish schedules for exchange of information, position papers and presentation to the Claims Commission. Mr. Milone will attend this meeting and Cheshire will have a presence at all of these meetings.

Mr. Milone commended Finance Director Jaskot for all his hard on the success of the rating upgrade, especially the important accuracy of the numbers cited.

Council member Schrumm, on behalf of the Council, commended Mr. Milone, Mr. Jaskot, Ms. DeFilio and the Finance Department staff for their work in getting the Town of Cheshire's AAA credit rating from S&P.

Mr. Milone commented on the totality of the Town of Cheshire organization, the agencies looking at the entire organization, the multitude of senior staff having advanced degrees in their field, and noted other Connecticut municipalities do not have people in these positions having such a great amount of financial experience. This lends some degree of credibility and confidence to the Town, along with seeing the quality of management from newspaper articles, *Money Magazine* articles, *Connecticut Magazine* articles, profiles on various people and things they have done. All of this contributes to the success, finances are key, but everyone contributes, with the Council playing a key role with its support of the priorities, establishment of policies...the debt and fund balance policies which the Town developed and its adherence to them.

Upcoming Meetings - Audit Committee, February 11, 2015, 6:00 p.m.

Upcoming Holidays - Town Hall closed on February 12, 2015, Lincoln's Birthday and February 16, 2015, President's Day.

Police Department Report - Chairman Slocum referred the Council to the letter from a resident in praise of Cheshire Police Officers Cara Fortier, Kevin Costa, Kevin Zaksewicz, Sam DeCapua, Adam Burwin, Sgt. Jeff Sutherland and Lt. Brian Pichnarcik during a recent incident.

Ms. Nichols informed the Council of her personal interaction with the Cheshire Police Department last week, which was outstanding, and she thanked everyone involved.

**9. TOWN ATTORNEY REPORT AND COMMUNICATIONS**  
**No report.**

**10. REPORTS OF COMMITTEES OF THE COUNCIL**

**A. Chairman's Report.**

Budget Committee - Mr. Schrumm reported the committee met last, discussed the Trust Fund Balance policy, Fire Department acquisition process, and noted budget workshop schedule will be submitted to Council later in the week.

Personnel Committee - Mr. Ruocco will schedule a meeting, and an agenda item will be the Compensation Plan for CFD.

**B. Miscellaneous**

**11. APPROVAL OF MINUTES - Regular Meeting of January 13, 2015 and Special Meeting of January 28, 2015.**

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

MOVED that the Town Council approves the minutes of the Regular Meeting of January 13, 2015 and Special Meeting of January 28, 2015, subject to corrections, additions, deletions.

VOTE           The motion passed unanimously by those present.

**12. MISCELLANEOUS AND APPOINTMENTS**

**A. Liaison Reports**

Human Services - Ms. Nichols reported the January meeting was cancelled due to the snow storm.

Environment Commission - Ms. Nichols reported the commission meets on February 11th.

Public Building Commission - Mr. Sima reported the PBC has money put aside for lavatory improvements for the schools, and is waiting for the BOE to prioritize work to be done. District wide roof repair work is on hold due to the snow storms.

Pool Oversight Committee - Mr. Sima reported the goal is to have the permit application in by February 23rd; one month for oversight by the Fire Department to insure everything fits; and start date of April 1, 2015 is the main goal. There may be a fire flow test on the main to the building. The time line for completion has everything ending in September 2015. Arcadis will submit a monthly update to the committee.

Mr. Milone informed the Council that either Town Engineer Gancarz and PW Director Noewatne will be at the pool site every day, and they will be the eyes and ears on a daily basis. There will be communication to the Council, as needed.

WPCA - Mr. Schrumm reported the Chairman submitted a summary to Town Manager Milone on the use billing issue. The summary is in Council packets. There will be a presentation from WPCA to the Council scheduled for an upcoming meeting.

Mr. Milone stated this meeting could wait until after the budget sessions to discuss a rate, and the rate will not be determined until November when WPCA votes on it. He will forward the entire packet from WPCA Chairman Pelton to the Council.

Board of Education - Mr. Oris reported the BOE adopted the FY 2015-2015 budget on January 15th. The BOE budget increases by \$500,000 from the Superintendent's budget; this is a 6% increase over last year's budget; and increases are in building maintenance and educational supplies.

Cheshire Performing and Fine Arts - Ms. Flynn-Harris reported Arts Day will be held on March 15, 2015, 1-4 p.m. and there will be elementary school workshops at Arts Place during the February school break week.

PBC Community Survey - Ms. Flynn-Harris reported the PBC survey is on the Town web site; PBC is working on the Plan of Conservation and Development and the next meeting includes the Historic District Commission; and the first draft of the POCD will be out within a few months.

Youth Services - Ms. Linehan reported the group meets on February 23rd.

## **B. Appointments to Boards and Commissions**

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

MOVED that the Town Council approves the following re-appointments and appointments:

Beautification Committee - Re-nominations: Lynn Voelker (R), term of office present to 1/31/17; Susan Dillman (D) term of office 1/31/15 to 1/31/17; Patricia Archibald (D) term of office 1/31/15 to 1/31/17; Jo-Ann Vitarelli (D) term of office 1/31/15 to 1/31/17.

Building Code Board of Appeals - Re-nomination: Christopher Daddi (U) term of office present to 1/31/19.

Human Services Committee - Re-nominations: Barbara Barlok (R) term of office present to 1/21/18; Deb Kelleher (D) term of office 1/31/15 to 1/31/18.

Historic District Commission - Re-nominations: Elizabeth Ryducha (R) term of office present to 1/31/18; John Torello (R) term of office present to 1/31/20.

Inland Wetland & Watercourses Commission - Re-nominations: Will McPhee (R) term of office present to 1/31/19; Earl Kurtz (R) term of office present to 1/31/19.

Parks and Recreation Commission - Re-nominations: Michael O'Donnell (R) term of office present to 1/31/19; Patrick Duffy (R) term of office present to 1/31/19.

Performing & Fine Arts Committee - Re-nominations: Courtney Cullinan (D) term of office 1/31/15 to 1/31/18; Joyce Karklel (R) term of office present to 1/31/18; Jill Veiga (R) term of office present to 1/31/18.

Prison Advisory Committee - Re-nomination: Joseph Holstein (R) term of office present to 1/31/17.

Public Building Commission - Re-nomination: Joseph Barba (D) term of office 1/31/15 to 1/31/19. Nominations: Richard Levy (D) to fill the vacancy of James Brennan term of office 1/31/15 to 1/31/19; Steven Durkee (D) to fill the vacancy of John S. Purtill term of office 1/31/15 to 1/31/19.

Retirement Board - Re-nomination: Paul Shay (R) term of office present to 1/31/19.

Water Pollution Control Authority - Re-nominations: Matthew Bowman (D) term of office 1/31/15 to 1/31/18; Thomas Scannell (D) term of office 1/31/15 to 1/31/18; Steve Carroll (R) term of office present to 1/31/18.

Youth Services Committee - Re-nomination: Michelle Wynne (U) term of office present to 1/31/17.

The appointment of Art Crooker to the Town Council's Performance Contracting Committee to fill the vacancy of Keith Goldberg.

VOTE            The motion passed unanimously by those present.

**13. COUNCIL COMMUNICATIONS**

**A. Letters to Council.**

Chairman Slocum referred to a letter from the Historical Society.

Mr. Sima referred to a letter from a resident, Ms. Stoner, regarding snow plowing. The letter was forwarded to Town Manager Milone for follow-up.

Mr. Milone informed the Council that PW Director Noewatne and Mr. Cunningham met with Ms. Stoner about the snow plowing issues.

**B. Miscellaneous**

**14. EXECUTIVE SESSION**

**15. ADJOURNMENT**

MOTION by Mr. Schrumm; seconded by Mr. Oris

MOVED to adjourn the Town Council meeting at 10:05 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk