

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON TUESDAY,  
MARCH 8, 2016 AT 7:00 P.M. IN COUNCIL CHAMBERS, 84 SOUTH MAIN  
STREET, CHESHIRE CT 06410**

Present

Robert Oris, Chairman; Paul Bowman, Vice Chairman; Councilors - Patti Flynn-Harris, Liz Linehan, Sylvia Nichols, Thomas Ruocco, Tim Slocum, Peter Talbot.

Absent: Michael Ecke

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

Guest: Art Crooker, Public Building Commission Member

**2. PLEDGE OF ALLEGIANCE**

The group Pledged Allegiance to the Flag.

**3. ITEMS FOR EXECUTIVE SESSION**

**A. Claims and Litigation**

**B. Land Acquisition**

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

MOVED that the Town Council enter Executive Session at 7:05 p.m. to include Town Manager Milone, Town Attorney Smith, and Town Planner Voelker, to discuss pending claims and litigation and land acquisition.

VOTE           The motion passed unanimously by those present.

MOTION by Mr. Talbot; seconded by Mr. Linehan.

MOVED that the Town Council exit Executive Session at 7:58 p.m.

VOTE           The motion passed unanimously by those present.

**4. PUBLIC COMMUNICATIONS**

**A. Public Comments.**

Chairman Oris welcomed Boy Scout Troop 198 to the Council meeting, and stated the Troop is studying Public Government.

**5. APPROVAL OF MINUTES**

**Regular Meeting of February 9, 2016; Special Meeting of February 23, 2016;  
Public Hearing of February 23, 2016.**

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

MOVED that the Cheshire Town Council approve the minutes of the Regular Meeting of February 9, 2016; Special Meeting of February 23, 2016; Public Hearing of February 23, 2016 subject to corrections, additions, deletions.

VOTE           The motion passed unanimously by those present.

**6.     **CONSENT CALENDAR****

MOTION by Mr. Slocum; seconded by Ms. Nichols

BE IT RESOLVED, that the Town Council approves Resolution #030816-1

RESOLUTION #030816-1  
CONSENT CALENDAR FOR MARCH 8, 2016

BE IT RESOLVED, that the Town Council approves the Consent Calendar for March 8, 2016 as follows:

- A.     Acceptance and appropriation of a \$50 donation from Donna M.D"Angelo To the Parks Gift Account for a memorial bench for Norf Petrucci.
- B.     Acceptance and appropriation of a \$1,000 anonymous donation to the Parks Gift Account to be used for general purposes.
- C.     Acceptance and appropriation of \$200 donation from the Cheshire United Methodist Church for the Cheshire Fuel Bank Account.
- D.     Acceptance and appropriation of \$19 in grant funds from the Department Of Mental Health and Addiction Services for the Local Prevention Council Grant.
- E.     Acceptance and appropriation of \$800 from the Cheshire Historical Society to be used for the construction and installation of two Identification signs in the South Brooksvale Historic District.
- F.     Acceptance and appropriation of \$1,500 from the Julia A. Humiston Trust To be used for the construction and installation of two identification signs In the South Brooksvale Historic District.
- G.     Authorization to apply for a \$14,000 Distracted Driving-High Visibility Enforcement Grant.
- H.     Acceptance and appropriation of a \$60 donation from Donna Harris to The Police Gift Account for general purposes.
- I.     Authorize application for a Connecticut Department of Transportation

Community Connectivity Grant for sidewalks along Jarvis Street from Lancaster Way to Linear Trail, and further authorize Town Manager Michael A. Milone or his designee to execute any and all documents necessary to complete this application process.

VOTE           The motion passed unanimously by those present.

**7.    ITEMS REMOVED FROM CONSENT CALENDAR**

**8.    OLD BUSINESS**

**9.    NEW BUSINESS**

**A.    Authorization for Refunding Bonds.**

MOTION by Mr. Slocum; seconded by Mr. Talbot

BE IT RESOLVED, that the Town Council approves Resolution #030816-2.

**RESOLUTION #030816-2**

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

**RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF NOT EXCEEDING \$10,000,000 TOWN OF CHESHIRE, CONNECTICUT GENERAL OBLIGATION REFUNDING BONDS.**

A copy of the resolution is attached to these minutes.

**Discussion**

Finance Director Jaskot informed the Council that the Town has an opportunity for refunding of up to \$10 million in bonds, with \$6 million being the likely amount. Savings of \$300,000 will be generated by the \$6 million refunding and lower prevailing interest rate. The refunding will take place on March 22nd on bonds with rates up to 4.25%. The savings will help mitigate some of the FY 2018 debt for the treatment plant project. There will be front-loading of the refunding in order to get as much savings in the coming years as possible. Over the last 15 years the Town had 7 refundings with \$4.4 million saved.

Ms. Nichols commented on the community wanting to take advantage of the refunding, and she supports the logic behind refunding these bonds.

These bonds are usually about 5 years out, and Mr. Jaskot said they are collectible in July 2018, with \$6.5 million escrow. The bonds can be sold now at lower interest rates to retire the older bonds and save money.

Chairman Oris expressed thanks to Mr. Jaskot, Ms. DeFilio and the Finance Department staff for their ongoing work and efforts to save money for the Town. He said taxpayers have saved a great deal of money as a result of the staff efforts.

VOTE           The motion passed unanimously by those present.

**B.     Approval of design and authorization for bidding of the Districtwide Lavatory Upgrade Project at Norton School.**

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

BE IT RESOLVED, that the Town Council approves Resolution #030816-3

RESOLUTION #030816-3

BE IT RESOLVED, that the Town Council, pursuant to the request of the Public Building Commission, approves the final design and authorizes bidding for the Districtwide Lavatory improvements at Cheshire Public Schools capital project.

Discussion

Art Crooker, PBC Member, reported on the project to date. Bids were sent out to renovate 2 bathrooms at Norton School near the gym and across from the office. They were the worst bathrooms in the school, needed an upgrade and ADA compliance. The lavatory upgrade project is an ongoing one and will be funded yearly by the Council.

Ms. Flynn-Harris commented on this being a good project as the school staff, parents and visitors were unhappy with the current bathrooms. She hopes the project moves along quickly.

The Council was told by Mr. Crooker that the bathroom renovation takes care of the men's and women's facilities by the office and gym. With regard to drainage issues, there was a scope done to insure pipes can handle the new bathrooms, and PBC awaits this report. Anything negative would have to be addressed.

On the chronology of the entire project, Mr. Slocum asked if Norton School bathrooms are the only ones to be done, and if there will be movement to other schools.

According to Mr. Crooker, these bathrooms were the worst, and PBC is looking at the other school facilities. The total appropriation is \$250,000. There will be a check for asbestos, and the new facilities will be ADA compliant and have wheelchair accessibility.

Mr. Masciana (DOE representative) stated the \$250,000 only takes care of the two Norton bathrooms, and two other sets at Norton are on the list. The priority list includes

bathrooms at Chapman and Doolittle Schools, and the BOE will address the bathroom situation on the worst needed basis.

For the \$20,000 environmental abatement cost, Ms. Linehan asked for clarification on this item.

Mr. Crooker said PBC must look at the entire project, and this estimate is on the high side. If anything is found, tents must be set up for the abatement process.

Mr. Noewatne said site contamination is excluded; the language is standard; and they will be looking for asbestos. An asbestos survey has been done; a wall was broken into; and no asbestos was found in the walls, but some pipe insulation must go.

The preliminary investigation looks good and Mr. Crooker noted there is not much in these bathrooms which would have asbestos.

Chairman Oris endorses this project and said modernizing our schools is important.

VOTE           The motion passed unanimously by those present.

**C.     Call for public hearing for transfer of traffic easement property to Connecticut Department of Transportation.**

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

BE IT RESOLVED, that the Town Council approves Resolution #030816-4.

RESOLUTION #030816-4

BE IT RESOLVED, That the Town Council shall hold a public hearing to consider a transfer of Town property consisting of two small sliver traffic easements in the vicinity of Main and West Main Streets to the State of Connecticut Department of Transportation for a State crosswalk improvement project, and

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

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

VOTE           The motion passed unanimously by those present.

**D.     Approval of Friends of Boulder Knoll requests.**

**i.     Rolling lease extension**

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

BE IT RESOLVED, that the Town Council approves Resolution #030816-5

RESOLUTION #030816-5

BE IT RESOLVED, that the Town Council approves the extension of the five year rolling lease of Boulder Knoll Farm by the Friends of Boulder Knoll for the term July 1, 2014 through June 30, 2019.

Discussion

Mr. Slocum explained that this lease expired in 2014, and the new lease goes back 2 years for 5 years to 2019. The Friends group did not have a lease for 2 years, and going back to the former lease for 2 years puts the renewal on track to 2019.

Chairman Oris stated the Budget Committee discussed the original lease expiration, and the new lease is extended for 5 years. The information before the Council is accurate.

VOTE The motion passed unanimously by those present.

**ii. Permission for water lines, additional high tunnel and use of shed.**

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

BE IT RESOLVED, that the Town Council approves Resolution #030816-6

RESOLUTION #030816-6

BE IT RESOLVED, that the Town Council grants permission to the Friends of Boulder Knoll to install two water lines to serve as an irrigation system, to install one additional high tunnel, and to extend the use of the loafing shed to housing for educational programs on Boulder Knoll Farm, pursuant to the requests of the Friends of Boulder Knoll.

Discussion

This agenda item was also discussed at the Planning Committee meeting and Mr. Bowman stated the Friends group wants to extend its operation. Irrigation is needed to operate the farm, which is a benefit to the community. He fully supports the motion.

Mr. Bowman explained that a loafing shed is used for storage and drying of vegetables. The Friends will also use the shed for educational purposes.

The issue of liability insurance was raised by Mr. Oris. The policy has liability not less than \$500,000 per person and \$1 million per occurrence, and he questioned if this was

too low. Mr. Oris stated his support of the FOBK, but has concerns about the Town's liability. He requested the insurance consultant review the policies and inform the Council of any findings.

Town Manager Milone stated he would have the insurance consultant review the limits and advise whether they are appropriate. He informed the Council that all bids are reviewed by the consultant, who advises on any changes in limits, etc. Once he receives the determination from the consultant, it will be forwarded to the Council.

VOTE The motion passed unanimously by those present.

**E. Endorsement of the Naugatuck Valley Council of Governments proposal For the Regional Performance Incentive Program.**

MOTION by Ms. Nichols; seconded by Mr. Slocum

BE IT RESOLVED, that the Town Council approves Resolution #030816-7

RESOLUTION #030816-7

BE IT RESOLVED, that the Cheshire Town Council endorses the submission by the Naugatuck Valley Council of Governments of a Regional Performance Incentive (RPI) Program proposal "Implement Regional Municipal Property Revaluation and CAMA procurement Program, Standardize and Centralize Parcel Data Management and Hosting" and further authorizes Town Manager Michael A. Milone to execute any and all documents necessary with the Office of Policy and Management for this RPI grant program should the Town of Cheshire choose to participate in any element of said program.

Discussion

Ms. Nichols stated this is a program to consolidate some purchases and incentives for savings, and for towns to work as a group on common issues.

Mr. Ruocco is not in favor of the Council of Governments and commented on the language "standardize, centralize" and regionalization.

The Council was told by Mr. Milone that this would be establishing a consortium. It is wanting to get economies of scale for things which are recurring expenditures, and joint services participation other than buying opportunities for common items. One of the services is revaluation every 5 years, with Cheshire paying more that it would with a COG contract on which to piggy-back. For GIS, the COG would offer their flyover services, and the Town can choose items in which it wants to participate. Mr. Milone noted it is a buying consortium for services not for materials.

Ms. Flynn-Harris stated that with the GIS there would be expansion on a regional basis.

Mr. Milone commented on seeing this now on the COG system, and the COG wants to have towns participate in their system.

VOTE           The motion passed 6-2; Slocum and Ruocco opposed.

**F.       Allocation of \$27,850 from the Capital Planning Account for design work For the Cheshire High School Concession Stand capital project.**

MOTION by Mr. Slocum; seconded by Ms. Linehan

BE IT RESOLVED, that the Town Council approves Resolution #030816-8

**RESOLUTION #030816-8**

WHEREAS, the Cheshire High School Concession Stand Construction Group has selected Silver Petrucelli to provide design, bid and construction administration services,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council approves the appointment of Silver Petrucelli, and, pursuant to Resolution #090815-3, allocates \$27,850 from the Capital Planning Account for said design work for the Cheshire High School Concession Stand capital project.

**Discussion**

Ms. Linehan reported on the group meeting, interviews of the companies, review of their approach to the project, and what the stand would look like upon completion. All the group members agreed that Silver Petrucelli was the best choice, has experience with pre-cast concrete construction and block, and building on site. All the numbers of firms were similar.

Chairman Oris commented on good presentations by the firms, and the group's comfort with Silver Petrucelli, their presentation, and experience with pre-cast concrete construction as an option for consideration. This type of construction is not subject to prevailing wages and could be up to 65% of the project costs.

Mr. Slocum said this is a good recommendation to the Council, and thanked former Councilor Sima for his approach to this project with pre-cast concrete construction as an option.

VOTE           The motion passed unanimously by those present.

**10.   TOWN MANAGER'S RE PORT AND COMMUNICATIONS.**

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

**B.   Departmental Status Reports - Police, Fire, Fire Marshal.  
In Council packets**



### **C. Other Reports**

Monthly Financial Report - The Councilors will get their budget books on March 10th. General Fund surplus - \$450,000; WPCD - \$50,000; Community Pool - \$25,000.

Legislative Update - Mr. Milone informed the Council on several legislative issues. Proposal for PTSD Benefit to police officers - this benefit would be based on criteria for an officer witnessing the death of a human being. Mr. Milone sent a two page letter to Rep. Zupkus about the serious consequences of this benefit. A task force has been established to study this issue. It was stated by Mr. Milone that this benefit would be worse than the heart & hypertension legislation, and could financially cripple a town.

Youth Services Bureau Grant - there is an award of \$17,000 annually; Ms. Piccerillo testified at the State Committee on the grant.

Dept. of Motor Vehicles - the DMV is considering legislation that would no longer hold up vehicle registration when back taxes are owed. 80% of Cheshire billings are motor vehicle billings, and there would be a revenue loss of \$800,000 to Cheshire.

Mr. Milone has sent letters to Cheshire's State Legislators on these issues of concern.

Tax Collector - the State is considering exemption of personal property under \$10,000 from taxation; this would be a loss of \$61,000 revenue to Cheshire.

Phosphorous Proposal - Rep. Fritz has reintroduced the town's phosphorous proposal in the Planning Committee. A few years ago there was a proposed increase from a 30% to 50% grant, and Cheshire was denied the opportunity for this additional grant. Town Engineer Gancarz testified this week at the State in support of the phosphorous increase, which would result in a grant of \$1.5 million to Cheshire.

Virtual net metering program - the State is extending this program which takes a significant benefit to the Town. PW Director Noewatne will be testifying on Thursday at the State Legislature on this issue.

Mr. Milone stated Town staff must be prepared to take a hit as things are being chipped away on the State level...it could be \$500,000 to \$1 million loss of revenue.

Linear Trail - work is going on for the railroad crossing; sidewalks being poured on Jarvis St. on Wednesday; landscaping on the site will be undertaken shortly; installing root barriers will take a while; paving and landscaping will start soon; the trail is expected to open in early May. A neighborhood information session will be held on safety concerns and issues regarding extensive screening. The neighbors with back yards abutting the trail will see the plans and designs from the landscaper, and extra screening will be installed as requested.

Fire Department Aerial Apparatus Acquisition - The RFP for the ladder truck received 4 proposals, ranging from \$771,000 to \$950,000; the final design was awarded to Pierce at \$914,983, which was a lower cost than the other finalists. \$1.080 million was appropriated for the apparatus; there will be \$165,000 left in the appropriation; \$100,000 of the cost of the truck will come from the CFD gift account; the equipment for the truck will cost about \$50,000. Total cost of the truck will be \$965,000 to \$970,000, and it will take one year to 14 months to build the apparatus.

Southington Land Acquisition tax exemption request - the Town of Southington purchased a parcel of land, with 3 acres in Cheshire. There must be formalized notification that the property is exempt from taxation.

Connecticut Library Association - The Cheshire Library received a Publicity Award for Electronic Media for its CPL Instagram page. Mr. Milone commended the Library staff for their outstanding technology operation.

Community Wide Recycling Events - April 23, 2016, 9 a.m. to 1 p.m. at Darcey School, electronics recycling; and April 30, 2016, 9 a.m. to 1 p.m. at Darcey School, mattress recycling.

Community Pool replacement of drainage grates - Ms. Adams solicited vendors for the purchase of the grates, and found a vendor offering a price of \$8,000 less than the original amount...or \$12,000. The grates are being shipped to Cheshire this week. The replacement requires welding of brackets for the grates, and this work will be done on weekends and evenings when the pool is unoccupied. Mr. Milone reported there have been no more instances of irritation from the fiber glass grates, and people are being cautious. The score board will be on site next week. The pool has generated \$80,000 in revenue since it was opened. Many swimming organizations are requesting rental of the pool for weekend meets, and Ms. Adams is being careful about scheduling meets so the pool is not closed every weekend to the public.

Fall Festival - Mr. Milone informed the Council that he has been approached by Mr. Dill from the Chamber of Commerce for guidance about fireworks at Bartlem Park for the festival. Since he does not make this decision, he is bringing the matter to the Council. Mr. Milone has spoken with Fire Chief Casner and Arizon on the issue. Chief Casner has advised that embers from the fireworks do get into the pool. The recommendation from Arizon is no fireworks in the vicinity of the pool. Mr. Milone will inform Mr. Dill that fireworks is not something the Town will support, and he looks to the Council to confirm the Town's position. Parks and Rec Director Ceccolini is working on a laser show for the festival.

Mr. Slocum asked about another Town venue for the fireworks display.

This is being looked into by Mr. Dill, and Mr. Milone said it cannot be at the high school due to the artificial turf. Mr. Bowman asked about using the area of the linear trail behind the high school as a possible site for fireworks.

Mr. Milone said that whatever is done should be done at Bartlem Park, including a laser show.

Upcoming Meetings - Budget Committee meeting schedule was in the packets.

Town Hall Closing - Good Friday, March 25, 2016.

With regard to the pool expenditures, Mr. Slocum asked about energy consumption at the facility and related costs.

In looking at the numbers, Mr. Milone said the highest natural gas billing was \$275,000 in one fiscal year. Next fiscal year the billing will be in the range of \$105,000 to \$125,000. It was noted by Mr. Milone that this is basically a "new pool"; the dynamics are different; it is hard to gauge what will be spent; electricity is less and was not a large part of the budget. \$125,000 is the number for gas expenses in the budget. The pool budget is \$85,000 less than it was 8 years ago, and the subsidy is less than when the pool was built. There will need to be a year of trend information.

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

### **A. Chairman's Report - Mr. Oris.**

#### **I. Referral of Tobacco Free Polices for Park Facilities to the Ordinance Review Committee.**

### **B. Miscellaneous.**

## **12. MISCELLANEOUS AND APPOINTMENTS**

### **A. Liaison Reports**

The Beautification Committee - Ms. Nichols reported the TBC presented awards to 11 recipients for adoption and maintaining beauty spots throughout the Town. She noted the TBC keeps the Town looking beautiful.

Parks and Rec Commission - Mr. Talbot commented on the Commission's adoption of tobacco free parks in Cheshire, and referral of the matter to the Ordinance Review Committee.

Energy Commission - Mr. Talbot reported the trial on the LED lights on Cornwall Avenue is completed, and resulted in the middle pair of lights chosen for street lights.

Cheshire Performing & Fine Arts Committee - Ms. Flynn-Harris reported on the visit of renowned artist, David Dunlop, to Cheshire on February 28 and 29th. On March 20 there will be celebration of the official birthday of Kensett at Arts Place, 4 p.m. with birthday cake.

Cheshire Library - Ms. Flynn-Harris reported on the Youth Award from the YMCA to CPL Children's Department.

**B. Appointments to Boards and Commissions**

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

MOVED that the Town Council approve the following appointments:

Energy Commission - Martin Cobern (D) to fill the vacancy of Carol Wilson, term of office 3/8/16 to 1/31/20.

Environment Commission - Jacqueline Sima (R) to fill the vacancy of David Mercugliano, term of office 3/8/16 to 1/31/18.

Performing & Fine Arts Committee - Monique D'Onofrio (D) to fill the vacancy of Heather Kiesling, term of office 3/8/16 to 1/31/18.

Public Safety Commission - Joseph Cassellal Jr. (R) to fill the vacancy of the Democratic Seat, term of office 3/8/16 to 1/31/20.

Water Pollution Control Authority - James Sima (R) to fill the vacancy of Timothy Pelton, term of office 3/8/16 to 1/31/19.

Youth Services Committee - Pamela Salamone (R) to fill the vacancy of Corey Nash, term of office 3/8/16 to 1/31/17.

VOTE           The motion passed unanimously by those present.

**13. TOWN ATTORNEY'S REPORT AND COMMUNICATIONS**

In addition to the matters discussed in executive session, Attorney Smith and staff are working with the Town Clerk to execute a contract for electronic filing of land records per State statute. A proposal has been received and is being reviewed by the town attorney's office.

Attorney Smith is also working with Chief Dryfe to develop a mutual aid agreement with the Town of Wallingford for quicker emergency response.

**14. COUNCIL COMMUNICAITONS**

**A. Letters to Council.**

Chairman Oris referred to a letter of appreciation from Natalie Benvenuti commending Animal Control Officer April Leiler for assistance and cooperation in finding a home for an abandoned dog.

Chairman Oris referred to a letter from Ray Squier about the Linear Trail project and associated costs to taxpayers for maintenance of things the Council approves.

**B. Miscellaneous**

**14. ADJOURNMENT**

MOTION by Mr. Talbot; seconded by Ms. Nichols

MOVED to adjourn the meeting at 8:55 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk