

MINUTES OF THE CHESHIRE TOWN COUNCIL AND BUDGET COMMITTEE JOINT SPECIAL MEETING HELD ON TUESDAY, AUGUST 22, 2016 AT 7:00 P.M. IN ROOM 207, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Council Members: Chairman Robert J. Oris Jr., Vice Chairman Paul A. Bowman, Michael Ecke, Patti Flynn-Harris, Liz Linehan, Thomas Ruocco, Timothy Slocum.

Absent: Sylvia Nichols and Peter Talbot.

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

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. RECAP AND DISCUSSIONS RE: FISCAL YEAR 2016-2017 FIVE-YEAR CAPITAL EXPENDITURE PLAN AND ANNUAL CAPITAL EXPENDITURE BUDGET

The Council discussed the upcoming CEP meeting schedule, and the need for further review and decisions on the annual capital expenditure budget. There are some projects which require more detailed information and discussion, i.e. Cafeteria Renovations, Replacement of Fire Truck 1990 Pumping Engine #3. A decision was made to cancel the August 23, 2016 meeting and move it to Tuesday, August 31, 2016 at 7:00 p.m.

Mr. Milone distributed a packet of information for the August 22nd meeting with some appropriation changes (Item A).

Item #4 - Town Hall Window Replacement, \$175,000 appropriation; \$100,000 to be funded from energy rebate; \$75,000 bonded.

Item #5 - Upgrade & Expansion of Public Safety Radio Communication System, changes to \$3,163,000 in year #1 based on the split budget from the consultant.

#10 - Public Works Dump Truck and Plow - removal of the larger truck/plow at \$198,000 changes the appropriation to \$153,000.

#12 - Road Repavement Program - changed to \$1,650,000; reduction of \$100,000 in year #1.

#13 and 14 - Sidewalk Program \$200,000, and Sidewalks Lanyon Drive and Westland Avenue \$100,000 - referendum items due to prior \$200,000 sidewalk appropriation; bond counsel approved breaking them into two separate projects so they do not go to referendum.

#18 - Renovations at Various Outdoor Basketball Courts - reduced to \$135,000 with removal of Rolling Acres Tennis Courts; these courts will be patched to give them a few more years of use and possibly be removed, pending the projects associated with the school facilities plan.

#19 - Restroom Upgrades at Cheshire, Mixville and McNamara Parks - \$120,000. This project was out in year #3 and has been moved to year #1.

One-to-One Learning Initiative (BOE) was removed from the capital budget and will be funded through the BOE operating budget.

Item B - FIVE YEAR CAPITAL EXPENDITURE PLAN FY 2016-2017 TO 2020-2021.
Summary shows changes in departments which reflect positive or negative numbers.

Town Council proposed changes to year #1 of the capital plan were cited by Mr. Slocum.

#4, Town Hall Window Replacement - \$100,000 comes from the energy rebate fund, with \$75,000 bonded. The balance in the fund will be \$514,000.

#6 - CPD Radio System - Mr. Slocum commented on there being no protocol/policy for use of the body cameras, and believes the purchase of these cameras could wait another year pending CPD having a protocol in place. He recommends getting all the cruiser cameras, putting the body cameras in year #2 of the CEP with funding coming out of the gift account. Total cost for cruiser cameras is \$104,000.

Ms. Flynn-Harris agreed with this recommendation, stating that the time for body cameras should be worked on with the police chief association and legislature.

Ms. Linehan stated it can be harder to prosecute without body cameras, but agreed with pushing out this item to year #2 of the CEP.

Mr. Ecke supports the body cameras for CPD, sooner than later, as they protect the officer, the town and everyone involved in an incident. He said we do not want to take State funds due to the protocol involved.

The Council was told by Mr. Milone that there are no contract issues regarding the body cameras. The chief has talked to the union representatives who advised there are no grounds to challenge the cameras.

#7 Replacement of Engine #3 - it was recommended to move this item to year #4. Mr. Ecke stated this engine does not work to full capacity, and a new one should be left in the CEP.

It was noted by Mr. Slocum that CFD has 6 other pumpers, but engine #3 is the oldest one.

The Council discussed the long time for delivery of an engine. Mr. Bowman said this is a concern to him. Mr. Oris is concerned about moving the pumping engine out, as this is replacement of a 1990 truck, with the next oldest engine being a 1992. There is also a replacement schedule, and 4 of the 7 fire trucks are at or beyond their replacement dates and useful life. In that regard, he said the Council should not push this pumper out too many years. Mr. Oris suggested getting one engine this year, and none next year...getting the new engine ordered for delivery in one year.

Mr. Slocum has concerns about the referendum items, considering the Chapman property referendum in September, and three projects for November that are over \$3 million.

Stating the voters understand the balance between maintaining equipment, services and costs, Mr. Bowman said the people should make the decisions. Historically, things have been moved down the road too far, and be dealt with now. He believes voters will provide the Council with directives.

Regarding the firm number for the engine, Mr. Milone said \$635,000 is firm.

Mr. Oris spoke with Chief Casner, and reported he is comfortable with deferring the 2nd truck. A number of units are at end of life, and public safety cannot be sacrificed. He would prefer to purchase one vehicle a year to soon rather than a year too late.

The Council was informed by Mr. Milone that water main extensions have been taken out of the CEP. This makes the pumpers more important than ever, and this should be brought into the equation.

Items 8, 9.10 and 11 - Public Works projects. Mr. Oris spoke with PW Director Noewatne about the vacuum truck (#11), and the annual \$30,000 cost to do catch basins with an outside contractor. The concerns of the Council about the cost of the truck are understood. Mr. Noewatne will look at alternatives for the vacuum truck; check into getting a good price to refurbish the vacuum system on the current truck; and agrees to deferring a purchase out one year. PW Department will continue to outsource cleaning of catch basins.

#10 Public Works Dump Truck and Plow - reduced to \$153,000.

#11 Public Works Vehicles and Equipment - \$380,000 moved to year #2, with possibility of getting a better price for the vacuum truck next year. These changes result in purchase of one dump truck, and deferring the vacuum truck.

#12 Road Repavement Project - \$1,650,000; some LoCIP funds will be used for this project. Mr. Milone advised these funds are already calculated in, and PW Department was under budget in its highway/sidewalks/drainage accounts. The money left in the budget can supplement \$100,000 of the cost.

Smaller grants are not calculated into the costs because they can vacillate. The project funds are used for curbing and paving, with prep work done by Town crew members. Mr. Oris said it is good practice to confirm the State bid on the road paving program.

#16 West Johnson Avenue Pump Station - \$3.5 million. It is proposed to use \$200,000 from the WPCD fund balance of \$750,000, bringing the project to \$3.3 million. The Council discussed whether to use the WPCD funds at this time, or to hold it in the account pending the debt service spike in 2017.

Mr. Milone noted there is time to make a decision on the increase in the "sewer user fee", and he recommended a one-time user fee increase of \$25 for people using the sewer facility. This would generate about \$225,000 in revenue. He advised that taking any more money out of the WPCD fund would affect the town's excellent credit rating. There are many scenarios on how to use resources, and Mr. Milone stated the Council will have to sit down and do it, and have a better sense of where there will be exposure.

The Council decided not to use \$200,000 from the WPCD fund balance, and hold this money to mitigate the future debt service spike.

#23 Cafeteria Renovations - \$275,000. The renovations will be done at Doolittle School.

In looking at the project list for 2016-2017, Mr. Milone pointed out the amount to be bonded, \$11,521,000, reduced by revenue of \$727,000, to \$10,794,000. The \$727,000 comes from \$200,000 WWTP Fund Balance; \$180,000 LoCIP funds; \$100,000 C.N.R.; \$150,000 BOE education grants; and \$97,000 miscellaneous income.

#17 Phase 2 Cheshire Library Reconfiguration and RFID conversion - \$500,000 appropriation, \$250,000 bonded.

The question about why this project should be done was raised by Mr. Oris.

The Library spends \$500,000 and would get \$250,000 back. With the grant funds, Mr. Milone said the Director will do \$250,000 of renovations; the appropriation is \$500,000; so CPL will use \$250,000. This is not a referendum item because this project and the prior project were two separate projects.

Ms. Flynn-Harris cited the need for bathrooms on the lower level, and the current bathroom servicing three floors.

Regarding the Library project, Mr. Oris said it should be looked at down the road, as the town has the school facilities renovation plan at \$100 million or more. We cannot keep spending and spending, and not focus on future BOE issues.

If and when the school improvements are done, Mr. Milone said the Library can forget about the \$500,000 with a \$250,000 grant as it will not be offered again. He noted the Library is a vibrant community service.

Following discussion on the Library project, the Council put a contingency on the funding based on receipt of the \$250,000 grant. Without the grant funds one-half of the project will not be done.

#2 Vehicles/Equipment Replacement Fund Total - \$281,000. Two CPD vehicles had accidents, and have been replaced by insurance funds.

Mr. Milone advised CPD wants to purchase 4 vehicles, 2 marked cars and 2 unmarked cars at \$116,000 in order to stay on its regular replacement schedule. He noted there are more officers on the streets; sometimes there are 5 patrol cars out in town; cars are getting more use; CPD has 34 vehicles. CPD saved \$47,000 in its budget, and the newer cars benefit in terms of mileage and efficiency.

In that regard, Ms. Linehan said CPD lost 3 cars this year, and police cruisers are getting more use than in prior years. She has concerns about backing out and having to purchase more cars next year.

Mr. Oris stated his admiration for the CPD equipment compared to other towns, but does not want to over-purchase. The question is whether CPD can make do with 2 cars...and he wants to make sure patrol cars are what they should be.

On the CPD fleet list, Mr. Ecke noted there are four (4) 2016 patrol cars out of 10 cars.

Pond Dredging - the memo from Town Engineer Gancarz (Item D) to Town Manager Milone was read into the record by Mr. Slocum.

Mr. Slocum said that Mr. McGowan's situation is different and unique, and many ponds in Cheshire have town drain pipes going into them.

Corrections in the memo were cited by Mr. McGowan -- there are 3 catch basins, not 8; the town did an analysis and there is less than 2,000 cy of material found. He expressed his frustration about the situation, and has waited 4 years for a comprehensive pond dredging strategy. He further stated that \$38 million to dredge ponds equates to 585,000 cy of material, and this is a ridiculous number which shows the town does not want to dredge his pond. In 2005 the cost of dredge his pond was \$25,000 compared to the current stated cost of \$120,000 to remove 2,000 cy of material.

It was stated by Mr. Slocum that it was made clear by PW Director Noewatne and Town Engineer Gancarz that what was done in 2005 cannot be done today due to permitting and the process involved.

According to Mr. McGowan there are companies that dredge ponds as in 2005, without hydraulic equipment.

Mr. Oris apologized for the 4 year wait for some level of resolution, and said the end result is still unknown. He said the Council requested information from professionals and it has been received, along with anticipated costs. Mr. Oris is not in favor of a pond dredging policy to dredge every person's pond. There may be circumstances in Mr. McGowan's situation to look outside any policy. The Town does not feel it is 100% culpable for the pond situation, and the cost and town's culpability will be determined. He said there must be a better understanding of the level of the town's culpability for 2,000 cy of sand. Mr. Oris noted that what was done in the past is now frowned upon, and IWW and DEEP are not willing to do what was done in 2005. There is a process involved; the estimated costs from professionals is \$120,000; and we must know if this is the real number as well as the percentage of the town's culpability.

A question was posed by Mr. Ecke who asked about the town report and what was the material found in the pond.

The full report done in Spring 2013 states what was in the pond and Mr. McGowan received this information from Don Nolte (PW Department). He said people were on his pond for 4 days and stated the material was winter sand. When they drained the pond, Mr. McGowan said the spill way sits, and they trenched out on either side. When they backed the dump truck onto the spill way it compromised everything underneath, water moving, and it is cracked.

Mr. McGowan invited the Council and town officials to come onto his property and look at the pond.

Concerns were stated by Mr. Bowman about the damaged breach way and asked when was that known. If the contractor damaged the breach way there could have been liability and recourse at that time. Now, the statute has expired and the town has no recourse to go back to this contractor now. Mr. Bowman does not want to get the town into some major liability issues, and asked Mr. Ruocco for the number and information he submitted to the Council.

Mr. Ruocco said the easements must be discussed, and there are none on the property. The spill way damage is another issue. He advocates dredging this pond and repair of the spill way for at least \$120,000.

With that statement, Mr. Oris said that Mr. Ruocco's assumption is that the town has 100% culpability.

There is a lot of sand at the mouth of the stream that was not removed during the original dredging, and Mr. Ruocco said it has moved its way into the pond.

Mr. McGowan said this is the last time the pond will be dredged. The town stopped using sand in 2007; it did not evaporate; the pond was dredged in 1990 and 2005; and 6,000 cy was removed from a 15 year period; and this equates to 400 cy a year that accumulated. He does not know where the 2.3 cy of winter sand comes in.

It was pointed out by Mr. Bowman that is 30 truckloads of sand...this is a lot of sand.

Ms. Flynn-Harris stated agreement with Mr. Oris' statements...that the regulations both state and town have changed over the years. The costs could include the Army Corp of Engineers involvement...and we do need a better handle on actual costs. Town staff said \$60 per cubic yard is based on their experience...and is not a firm number. Ms. Flynn-Harris asked if it is vital for the McGowan property to keep the pond.

In response, Mr. McGowan said "no"...the house will always stand; the pond is fed by 15 underground springs. It was suggested by Mr. Gancarz to let it fail. By doing that, it will not return to its natural stature...it will turn into a swamp and breed mosquitoes, per DEEP's analysis.

The town does not have easements and Mr. Ecke said this is a two-part problem. He asked if there are easements on other ponds.

Mr. McGowan is looking for the town to get its sand out of the pond. In 2005 the sand bar was about 4 or 5 feet out of the pond, and now there is about a foot of sand in the pond.

Mr. Milone said the town does not always have easements where it is draining into waterways.

In 2016, Ms. Linehan noted Mr. McGowan has stated there are 2,000 cy of sand to be taken out of the pond. She questioned what was removed in 1990. In 2005 it was 6,000 cy...but there are no records on the 1990 dredging and amount of material removed. We have to figure out how much the town is responsible for when it stopped using sand in 2006, and numbers on the material removed earlier would be helpful.

Mr. McGowan reviewed what has happened...in 2005 there was 6,000 cy of material taken out of the pond. There was still 3,000 cy still back up stream that could not come through because of the high sand bar. A few heavy rainstorms pushed this all down stream, and 500 cy are still upstream, and he thinks the volume is down low enough. Two inches of rain at the pond makes it look great.

This is a two pronged issue and Mr. Slocum said we don't know the total cost, and there are legal aspects with easements, etc. Another question is another 10 years and Mr. McGowan has a pond full of junk, and he no longer owns the property. He is suggesting upward sources may well be the source of most of the sand.

With regard to the agricultural land behind his property, Mr. McGowan said there is no breach or seepage from the agricultural land to the pond.

Mr. Slocum asked about what agreement could be crafted that this is the final dredging of the McGowan pond...if the town did something.

Stating he is looking to be a reasonable citizen, Mr. McGowan is not looking for a legal thing or take advantage of the town. He has watched this for 18 years and one violent storm takes out an enormous amount of sediment. All of the sand in the middle got plowed right out...the pond is brown now. The pond goes out the spillway under Riverside Drive out to the Quinnipiac River. Mr. McGowan restated that the Council and town staff are welcome to walk the property.

Mr. Slocum stated more information is needed about the pond dredging situation.

The Council continued review of the project list.

#19 Restroom Upgrades, Cheshire, Mixville and McNamara Parks - \$120,000.

Mr. Ruocco asked if there was an appropriation for Lock 12 and Quinnipiac Park.

Mr. Milone informed the Council that Quinnipiac Park and Lock 12 are in year #2 of the CEP.

#23 Cafeteria Renovations - \$275,000. #25 Window Replacement CHS -\$275,000

Mr. Ruocco asked about doing these projects pending the school facilities plan coming forward from the BOE.

The cafeteria renovation in year #1 is for Doolittle School. Window replacement at the high school has been an ongoing project, and will move forward to completion. Mr. Slocum said some of the proposed school renovations are classroom oriented.

Mr. Oris noted these are not big renovation numbers and certain things need to be done. Also, we don't know when the school buildings will be renovated...it could be 2 or 3 years out there. There needs to be a balance on spending money for items on buildings that could be demolished in the future.

Page 123 CEP Book - upgrades to school cafeterias schedule is listed.

2016-17 Doolittle School; 2017-18 Highland School; 2018-19 Chapman School; 2019-20 Cheshire High School. Ms. Flynn-Harris commented on this being basic work that needs to be done, and are ongoing maintenance issues.

Mr. Slocum commented on the BOE capital expenditure budget and annual capital budget numbers being small, in light of the future facilities plan.

Mr. Oris raised the issue of the AED's in town and school buildings, and the necessity of these life saving devices. He said there should be a device at every town park. The cost per device is about \$1,500...maybe a little less. An AED saved someone's life at

CHS. Mr. Oris recommended the Council consider adding AEDs to every place in town that has a lot of activity. He discussed the issue with Chief Casner and he supports adding these devices to other places in Cheshire. They can be funded in the CEP or the operating budget.

Ms. Flynn-Harris commented on using some of the miscellaneous funds in the Parks and Rec budget, and the CFD gift account could have some money for purchase of the devices.

With respect to the AED's Mr. Milone put the funds together to get them in town buildings. It was decided to have the devices in the parks, and the Safety Committee waited to see how it works out. The high school has a device located on the outside of the concession stand building.

Mr. Milone discussed the need to get our arms around the \$425,000 shortfall from the State and this must be discussed with the BOE. \$150,000 is the BOE revenue shortfall, and they have responsibility for part of the shortfall. Before more money is spent this shortfall must be looked at and discussed.

#6 CPD Body Cameras - moved out to year #2 of the CEP. Mr. Ruocco and Mr. Ecke are opposed to moving this item out another year.

#7 Replace 1990 Fire Truck Pumping Engine #3 - the Council decided to keep this project in the first year of the annual budget at \$635,000; year #2 will have the 2nd truck; and year #4 will have the 3rd truck.

#10 PW Dump Truck and Plow - \$153,000 in year #1.

#11 PW Vehicles and Equipment (non dump trucks) - \$0 funding. PW Director Noewatne will look for a good deal on a vacuum truck, and it will be in year #3.

#16 West Johnson Avenue Pump Station - \$3.5 million; stays in the 1st year; it is a referendum item.

#17 Phase 2 Library Reconfiguration and RFID Conversion - there is a contingency on receipt of the \$250,000 grant to spend \$500,000...without grant funds only one-half of the project can be done.

Pond Dredging - Mr. Milone stated this is not part of the CEP; there could be an appropriation from the capital budget account, operating budget or fund balance.

FY 2017-2018 - \$2 million for Chapman Property. Council members discussed spreading this project out at \$1 million over two years...but that requires two referendums.

The Council discussed final review of the CEP before approval, and changed the dates for meetings as follows:

NEW MEETING DATES

TUESDAY, AUGUST 30, 2016 AT 7:00 P.M

JOINT BUDGET AND TOWN COUNCIL MEETING - FINALIZE ANNUAL CAPITAL EXPENDITURE BUDGET.

WEDNESDAY, AUGUST 31, 2016 AT 7:00 P.M.

TOWN COUNCIL MEETING - APPROVAL OF THE ANNUAL CAPITAL EXPENDITURE BUDGET AND FIVE YEAR CAPITAL EXPENDITURE PLAN.

4. ADJOURNMENT

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

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

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk