MINUTES OF THE CHESHIRE TOWN COUNCIL BUDGET COMMITTEE MEETING
HELD ON TUESDAY, OCTOBER 12, 2010 IN ROOM 207, AT
7:15 P.M. TOWN HALL, 84 SOUTH MAIN STREET , CHESHIRE CT 06410

Present
David Schrumm, Chairman, Michael Ecke and James Sima.
Staff: Louis Zullo, AssistantTown Manager; James Jaskot, Deputy Finance Director;
Robert Ceccolini, Parks and Rec Director; Joseph Michaelangelo, Public Works
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. Acceptance and appropriation of a $2,500 donation from Alexion
Pharmaceuticals to the Police Department Gift Account for
The Rape and Aggression Defense Training Program.

4. Acceptance and appropriation of a total of $1,670.87 from summer
Theater concession sales to the CPFA Gift Account for the following
Purposes: $250 for scholarships; $413.43 to the Cheshire Youth
Theater; and $1,007.44 to the proposed amphitheater fund.

5. Acceptance and appropriation OF A $500 donation from Arch
Chemicals to the Police Department Gift Account for general purposes.

MOTION by Mr. Sima; seconded by Mr. Schrumm.

MOVED to accept agenda items #3 through #5 and forward to the full Town
Council for approval.

VOTE The motion passed unanimously by those present.

6. Amendments to Parks and Recreation program fees.

non-resident going from $75 to $80. He stated that the percentage increase paid by the
Town resident is higher than the non-resident. Continuation of this brings the
percentage closer and closer and this is a concern for him. Mr. Sima noted that the
residents pay for the pool with their tax dollars, and they should not pay a higher
percentage rate than the non-residents.

When the pool first opened, Mr. Ceccolini explained that the non-residents paid double
the resident rate, and now it is 1.5% more than the resident rate. The seasonal and
summer passes had a rate increase. Mr. Ceccolini stated he understands what Mr.
Sima is saying, and the percentage does get closer. The non-resident fees may be increased to $10 next year, and residents by $5.

The last fee increase was 2 or 3 years ago and Mr. Sima questioned another increase in the current economic climate.

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

MOVED to forward this agenda item to the Town Council for approval.

VOTE The motion passed unanimously by those present.

7. Approval of an indemnification clause in Yankee Gas for road paving Agreement. (discussed in conjunction with #8)

8. Acceptance and appropriation of $32,283 from Yankee Gas for road Paving.

Mr. Schrumm said that the question with this road paving is who will do the work. Yankee Gas used this area as their construction site and he thinks they should do the whole road, both lanes.

Mr. Michaelangelo stated that by turning over the paving to Yankee Gas there is no assurance they will overlay the entire area or replace just the trench. He does not believe their activities did much damage in the whole surface of the road. This is a similar situation to the agreement with RWA on several roads, and it was successful.

There was a brief discussion about it being better for the Town to have the road work under its control than have control by Yankee Gas. It was also noted that the Town could oversee the gas company contractor. If there is much extraneous work to be done, Mr. Schrumm said Yankee Gas cannot do it, but they do a good job on the road work, and could be in at 8 a.m. and done at noon.

The committee was informed by Mr. Michaelangelo that Tilcon would do the road work, and they are doing the Peck Road work.

According to Mr. Sima there is ¼ mile of paving to be done, and $32,000 will not pave that much road.

The paving can be done and Mr. Michaelangelo noted that the Town gets lower prices on asphalt. The road will not be milled down to bare pavement, and the cost is about $43 per foot.

From a timing standpoint and expense, Mr. Schrumm said that Yankee Gas is there and they can do the road.
Mr. Ecke commented on the fact that Yankee Gas has a sub-contractor just as the Town will, but we want control over the sub-contractor.

Another issue for Mr. Sima is holding Yankee Gas harmless if anything goes wrong. By having them pave the road and something going wrong, it is on them.

Mr. Schrumm prefers having Yankee Gas go back and fix the trench.

With the Town doing the work, Mr. Michaelangelo said it will be done better.

Mr. Schrumm stated that the Town should tell Yankee Gas to remove the pipes, move the trash, and pave the road.

In the past, Town Attorney Johnson has commented on these indemnification clauses and Mr. Sima said there is now another one before the Council. We have been told not to do indemnification clauses, and he questions why we are risking this.

Attorney Johnson said that we have tried, unsuccessfully, to delete this provision from agreements. The Town has a parallel agreement with RWA. It has been concluded that the risk of problems is small, but there is still a risk dealing with gas lines. The work done by the Town is unlikely to pose a problem. Mr. Johnson’s preference is not to have an indemnification against third party claims.

No action was taken by the committee on agenda items #7 and #8.


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

MOVED to forward this agenda item to the full Town Council for approval.

VOTE The motion passed unanimously by those present.

10. ADJOURNMENT

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

MOVED to adjourn at 7:32 p.m.

VOTE The motion passed unanimously by those present.

Attest:

_____________________________________
Marilyn W. Milton, Clerk