MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON
TUESDAY, AUGUST 10, 2010 IN COUNCIL CHAMBERS, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present
Chairman Tim Slocum; Vice Chairman David Schrumm; Justin Adinolfi, Michael Ecke, Andy Falvey, Anne Giddings, James Sima, Timothy White
Absent: Thomas Ruocco.
Staff: Michael A. Milone, Town Manager

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. PUBLIC COMMUNICATIONS

A. Public Comments
Joe Fusco, 25 Charter Oak Drive, addressed the Council on the water problems in his neighborhood. He said he spoke with former Councilor Dill and other Council members about the water situation, lack of water, quality of water and problems with wells. Councilor Falvey met with the neighborhood residents to discuss the concerns. Mr. Fusco said that there is a water expert on the Council, Mr. Sima, who knows about the area water situation. There is a water line on Musso View and the neighborhood needs something done to alleviate their problems. Mr. Fusco reported that he had his well filled up, again, and people have had to replace pumps because of the lack of water. Stating he pays high taxes, has no children in school, and receives garbage pickup and snow removal, Mr. Fusco said he wants a water line run into his neighborhood. This is a request he has made for 8 years, and city water will increase the value of the homes and help the residents with their problems.

Chairman Slocum thanked Mr. Fusco for bringing this matter to the attention of the Council. At this time, the Council is working on the capital budget, and needs to hear about issues of this nature for consideration.

As a result of the water situation, Mr. Fusco said two houses have had to replace wells, people cannot do laundry, or wash their cars.

Robert Perrotti, 132 Cornwall Avenue, informed the Council that many residents of the historic district have signed a petition which was given to the Council. The property owners are dissatisfied with the Historic District Commission and the process which residents are required to go through. They want the issues resolved or dissolution of the historic district.
The Council has received the petition and Chairman Slocum read it into the record. He has requested that Historic District Chair, Ms. Chesanow, meet with the members of the historic district along with Council representatives to the districts (Schrumm and White). A communication will be sent to property owners from the Commission regarding the date and time of such a meeting.

4. CONSENT CALENDAR

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

BE IT RESOLVED, that the Town Council approves Resolution #081010-1

RESOLUTION #081010-1
CONSENT CALENDAR FOR AUGUST 10, 2010

BE IT RESOLVED, that the Town Council approves the Consent Calendar for August 10, 2010 as follows:

A. Approval of an indemnification clause in Regional Water Authority Agreement.

B. Authorization to apply for a grant of up to $10,000 from the Connecticut Community Foundation to support the John Frederick Kensett project.

C. Authorization to apply for a $4,245 Connecticut Department of Mental Health and Addiction Services Local Prevention Council grant for local substance abuse prevention programs.

D. Acceptance and appropriation of a $4,000 donation from the Cheshire Jaycees Inc. to the Parks Gift Account for parks pavilions repairs.

E. Acceptance and appropriation of a $786.00 donation from the Judicial Branch-Special Services to the Parks Gift Account for parks repairs and general purposes.

VOTE The motion passed unanimously by those present.

5. ITEMS REMOVED FROM CONSENT CALENDAR

6. OLD BUSINESS

7. NEW BUSINESS

A. Approval of FY 2009-10 operating budget transfers.
MOTION By Mr. Schrumm; seconded by Mr. Sima.

BE IT RESOLVED, that the Town Council approves Resolution #081010-2

RESOLUTION # 081010-2

BE IT RESOLVED, that the Town Council approves the FY 2009-10 budget transfers, as amended, as presented and attached.

Discussion
Mr. Schrumm explained that the contribution to the medical benefits trust fund has been increased to $450,000.

The projected surplus is about $1,130,000. With the appropriation of $450,000 to the trust fund, plus $20,000, adding in the $600,000 already committed to FY 10-11 budget as a revenue item, there is about $80,000 left to add to fund balance going forward.

Mr. Sima stated that transferring these funds to the medical benefits trust fund is important.

(Mr. Ecke entered the meeting at 7:45 p.m.)

Mr. Milone explained there were three budgets with transfers.

Town Attorney – there were many personnel related expenses for legal services, $34,000 spent in the fiscal year, and in the prior year it was $10,000 to $12,000. There was negotiation with 5 labor unions, with 3 going to arbitration, and there were some prolonged and serious labor issues which had to be addressed.

Fine Arts – the overages are in program materials; the department generated $11,000 in revenue over what was budgeted.

Parks and Recreation – the overages are in program materials; the department generated $19,000 in revenue over what was budgeted.

Mr. Milone explained that last year $250,000 less was appropriated to the medical benefits trust fund, and the high claims (worst in 20 years) had to be absorbed by the fund.

VOTE The motion passed unanimously by those present.

B. Approval of revisions to Police Chief Job Description

MOTION By Mrs. Giddings; seconded by Mr. Falvey.
BE IT RESOLVED, that the Town Council approves Resolution #081010-3

RESOLUTION # 081010-3

BE IT RESOLVED, that the Town Council approves the amendment to the Chief Of Police Job Description to include the term “taser” under Equipment Used, and correction of word “ability”.

Discussion
Mrs. Giddings stated that this job description is being updated to include one more item of equipment, a “taser”, and to correct a typographical error in the spelling of the word “ability”.

Mr. Milone informed the Council that the process to choose a new police chief is underway, with ads in the area newspapers (Hartford, Meriden, Waterbury, Connecticut Post) daily and weekend editions, and professional publications. The closing date for applications is September 17th, and it hoped interviews will begin after that date. Depending on who is chosen, and any notice required, the new chief should be hired and in place by November 1st. If there is a delay in the starting date for the new chief, then Mr. Milone has the authority to appoint an acting chief until the new chief is in place.

VOTE The motion passed unanimously by those present.

C. Approval of Wallingford Regional Solid Waste Project Agreement For Services.

MOTION By Mrs. Giddings; seconded by Mr. Falvey.

BE IT RESOLVED, that the Town Council approves Resolution #081010-4

RESOLUTION # 081010-4

BE IT RESOLVED, that the Town Council hereby authorizes the execution of an Agreement for Services for the Wallingford Regional Solid Waste Project by and between the Town of Cheshire and the municipalities of Wallingford, Hamden, Meriden, and North Haven, and

BE IT FURTHER RESOLVED, that the Town Manager is authorized and directed to execute on behalf of the Town said Agreement in the form and upon the terms and conditions as presented at this meeting.

Discussion
Mrs. Giddings explained that this action is necessary due to the change in the ownership, operation and management of the solid waste plant. It allows an agreement between the towns to provide an orderly way to settle any concerns
and business. The Policy Board will coordinate the program and be the sounding board for Covanta.

VOTE The motion passed unanimously by those present.

D. Approval of heart and hypertension claim settlement, possible Executive Session.

8. TOWN MANAGER’S REPORT AND COMMUNICATIONS.

A. Monthly Status Report.

B. Department Status Reports

C. Other Reports from the Town Manager

- Financial Report – the staff has been working on closing out the fiscal year financials, and the financial report will be e-mailed to the Council.

- Country Club Road Bridge Reconstruction – notifications have been sent out to everyone, and public notices will be on the web site, cable access tv, newspapers, and there will be an electronic sign at the site. Letters will be sent to homeowners in the area. The new GIS system provides an outline of the area, and mailing addresses of people within the identified area.

- Highland Avenue Street Light Synchronization – Mr. Slocum and Mr. Milone met with RWA representatives on this issue. When RWA installed the water lines last year they damaged the sensors that control the lights, and the lights have not been properly synchronized since that time. The changes to the sensors will be done following another coat of pavement on the road.

- Recent Acquisition of Rights of Way – This relates to recent acquisition of rights of way, and Attorney Johnson has indicated that where there is road construction and/or infrastructure improvements which require easements, the Town Manager does not need Council approval. However, the Council will be informed of all easements. There were three easements on Wiese Road involving the culvert, and two on Country Club Road which affect the bridge work to be undertaken. Most of the easement costs are about $300 to $400; one was $1,000; and these have been determined by a formula from the Tax Assessor and Town Attorney. There is now a process in place to move these issues along through a streamline process.
• Status of Road Construction – The Council has a list of the roads still to be paved, and there is information on the web site. Marion Road will be done when the telephone pole is moved; Schoolhouse Road is before the IWW; Sandbank Road up to Ollie’s Garage will be done in the next few weeks; Peck Lane, Grandview to Schoolhouse Road will be done in the next month. Once completed the Town will have done 7 miles of paving and 4 miles of chip sealing.

• Yankee Gas Line Project – this project is moving along rapidly; there is another press release out this week on where work will be done; it is expected that there will be increased implementation of gas supply to the Town by late November.

• Boulder Knoll Farm Status Report – the cutting is almost completed. Demolition of the barn will be going out to bid; bid specs are developed; and the Land Trust is interested in some of the beams in the building. The Land Trust will meet with Mr. Michaelangelo and point out what they want. Then, the bid specs will indicate what has to be preserved. Before the project goes forward, the Council will be apprised.

• Upcoming meetings – August 11th and August 17th, 7:00 p.m. Public Hearing on August 18th, and at the Special Town Council meeting of August 24th, the Capital Budget will be adopted.

Council Questions and Comments
Mrs. Giddings asked about water in the house at Boulder Knoll, noting that the Chesprocott report says this is potable. The Friends of Boulder Knoll are interested in using this water; the pipe still goes under the road; and the question is whether this could be hooked up.

In response, Mr. Milone informed the Council that the resident of the house has requested that another test be done in two months because of the history of the chloroform there. This will be done at the end of September. Until the test is done and there is assurance that the water is potable, the Town does not want to expose anyone to possible use if something is detected in the water.

Mr. White asked about the AT&T U-Verse and getting Town meetings on the channel.

Mr. Milone reported there is no status report right now, and a meeting is scheduled with AT&T to finalize everything. The information will be e-mailed to the Council.

Regarding Country Club Road, Mr. Slocum asked if the work is September to December, since this information is important to the public.
Mr. Milone advised that Mr. Michaelangelo would like to start earlier in order to get the project done by December 1st. This is up to the Council and Town Manager to decide on whether to wait the extra two weeks to close the road. Mr. Milone would prefer closing the road sooner than later, with his recommendation to close it on August 23rd and get the project started. The notices will say August 23rd.

Mr. Slocum asked about Marion Road and the Town putting in a new curb.

The Town is working to straighten the curve in this road and Mr. Milone said it has been a few years. There was trouble with the property owners which has been resolved. Now, it is a matter of moving the pole and starting the work.

Regarding the Country Club Road memo, Mr. Schrumm asked for clarification because the contractor may not be able to start until after Labor Day. If that is so, he questioned closing the road on August 23rd.

According to Mr. Milone the contractor will be ready to start on August 23rd. If, for some reason, he is not ready to start, the road will not be closed.

Mr. Schrumm asked about the Wiese Road project and when it goes out to bid.

There are easement approvals from the property owners, and Mr. Milone the Town is awaiting approval from the mortgage company. Once that is received, the Town will be in a position to start construction. There is less than two weeks of work, and the project should be done in September.

Chairman Slocum noted that in the Police Department report there is the announcement of Office Dave Kehoss, and on behalf of the Council, he congratulated Officer Kehoss for 28 years of service to the Town of Cheshire.

9. TOWN ATTORNEY REPORT AND COMMUNICATIONS
   No report.

10. REPORTS OF COMMITTEES OF THE COUNCIL.

   A. Chairman’s Report

   a. Subcommittee and Temporary Chair appointments

Chairman Slocum announces temporary assignments to committees in the absence of Councilman Ruocco. Mr. Falvey will serve on the Personnel Committee, and Mr. Sima will serve on the Budget Committee.

Chairman Slocum reported that Mr. Ruocco is doing well.
**Ordinance Review Committee** – Mrs. Giddings reported there was a meeting on August 9th with review of many issues, with some referred to the Council for action. OPEB funding needs an ordinance in order to be enacted, and a public hearing must be scheduled.

**Budget** – Mr. Schrumm reported on upcoming meetings on the capital expenditure plan, on August 11th, August 17th; Public Hearing on August 18th. The meetings are open to the public.

**Personnel** – Mrs. Giddings informed the Council and public there was a meeting earlier in the evening to make an amendment to the job description for the Police Chief.

**B. Miscellaneous**

11. **APPROVAL OF MINUTES**
   Regular Meeting of July 13, 2010; Special Meetings of July 20 and July 27, 2010

MOTION by Mrs. Giddings; seconded by Mr. Schrumm.

MOVED that the Town Council approves the minutes of the Regular Meeting of July 13, 2010; Special Meetings of July 20 and July 27, 2010, subject to corrections, deletions, additions.

VOTE The motion passed unanimously by those present.

12. **MISCELLANEOUS AND APPOINTMENTS**

A. **Liaison Reports**

**Environment Commission** – Mrs. Giddings reported that the Commission discussed various pest problems. She attended the Plant Science Day at the Agricultural Experiment Station, and submitted information on these pests and beetles. There is information on the web site on these pests.

**Public Building Commission** – Mr. Sima reported that the PBC will be busy after the capital budget is completed.

**Water Pollution Control Authority** – Mr. Schrumm informed the Council that the RFQ was approved to go out for choosing a design engineer for the treatment plant upgrade project.

**Energy Commission** – Mr. White reported there was a meeting held with representatives from the 9 Connecticut based organizations which collectively applied for, and obtained, the Neighbor to Neighbor Energy Challenge. Fourteen
towns are participating. The goal is to reduce household energy consumption by having 10% of Cheshire households and those in other towns by providing a base line of energy consumption of oil, electricity, etc. Then, reduce the total consumption by 20% and roll out best practices across the State. Interested people can go on his facebook page.

B. Appointments to Boards and Commissions.

13. COUNCIL COMMUNICATIONS

A. Letters to Council

B. Miscellaneous

14. EXECUTIVE SESSION

A. Pending Claims and Litigation

B. Personnel Issues

C. Land acquisition

MOTION by Mr. Schrumm; seconded by Mrs. Giddings.

MOVED that the Town Council enter Executive Session at 8:22 p.m. to include Town Manager Milone for land acquisition and personnel issues, and Bill O'Connell for the heart and hypertension issue.

VOTE The motion passed unanimously by those present.

MOTION by Mrs. Giddings; seconded by Mr. Schrumm.

MOVED that the Town Council exit Executive Session at 8:50 p.m.

VOTE The motion passed unanimously by those present.

MOTION by Mr. Schrumm; seconded by Mrs. Giddings.

BE IT RESOLVED, that the Town Council approves Resolution #081010-5.

RESOLUTION #081010-5

BEIT RESOLVED, that the Town Council approves the Heart and Hypertension Claim settlement with former police officer Ken Novi, upon the terms as presented at this meeting, and authorizes the Town Manager to execute said settlement agreement.
15. **ADJOURNMENT**

MOTION by Mrs. Schrumm; seconded by Mrs. Giddings.

MOVED to adjourn the meeting at 8:51 p.m.

VOTE The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk