

**MINUTES OF THE CHESHIRE TOWN COUNCIL REGULAR MEETING HELD
ON TUESDAY, JANUARY 10, 2006 AT 7:30 P.M. IN COUNCIL CHAMBERS,
84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Matthew Hall, Chairman; Vice-Chairman Matthew Ecke; Council Members
Matthew Altieri, Elizabeth Esty, David Orsini, Thomas Ruocco, David Schrumm,
Diane Visconti, Timothy White.

Town Manager Michael A. Milone

Town Attorney John K. Knott.

Finance Director Diane Waldron

Deputy Finance Director James Jaskot

PW Director Joseph Michaelangelo

Guests: Former Council Members Steve Carroll and Tod Dixon; Rep. Al Adinolfi
and Rep. Mary Fritz

I. ROLL CALL

Chairman Hall read the fire safety announcement. The clerk called the roll and a
quorum was determined to be present.

Chairman Hall thanked everyone for their kind wishes on the birth of his twin
daughters.

2. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

3. PUBLIC COMMUNICATIONS

A. State Recognition of former Council members.

Rep. Adinolfi and Rep. Fritz presented Citations from the Cheshire Legislative
Delegation to Steve Carroll and Tod Dixon in recognition of their dedication and
work on behalf of the Town of Cheshire as members of the Town Council.
Citations for Justin Adinolfi and Sheldon Dill will be presented at a future Council
meeting by Chairman Hall on behalf of the Cheshire delegation.

B. Proclamation for National Wear Red Day for Women.

Chairman Hall read the proclamation for National Wear Red Day for Women.

C. Public Comments.

4. CONSENT CALENDAR

MOTION by Mr. Ecke; seconded by Mrs. Visconti.

BE IT RESOLVED, that the Town Council approves Resolution #011006-1

RESOLUTION #011006-1
CONSENT CALENDAR FOR JANUARY 10, 2006

BE IT RESOLVED, that the Town Council approves the Consent Calendar for January 10, 2006 as follows:

- A. Acceptance and appropriation of a \$1750.00 donation from Thomas Monroe to the Police Gift Account for personnel and training expenses.
- B. Acceptance and appropriation of a \$375.00 donation from the First Congregational Church to the Cheshire Fuel Bank for heating Assistance.
- C. Acceptance and appropriation of \$215.00 in donations to the Parks Gift Account for a memorial bench for Jack Mitchell.
- D. Acceptance and appropriation of a \$1700.70 donation from the Cheshire Art League to the Cheshire Performing and Fine Arts Gift Account for ArtsPlace facility, programs and supplies.
- E. Acceptance and appropriation of \$130.00 from commissions from art show sales to the Cheshire Performing and Fine Arts Gift Account for general purposes.

VOTE The motion passed unanimously by those present.

5. ITEMS REMOVED FROM THE CONSENT CALENDAR

6. OLD BUSINESS

A. Public hearing for firefighters' tax abatement ordinance amendment. Mr. Altieri explained that at the November 15, 2005 Council meeting, there was a call of public hearing for the firefighter's tax abatement ordinance amendment. The public hearing notice must contain the proposed language changes, so the public hearing could not be noticed until a recommendation was determined. The Ordinance Review Committee discussed this issue at its last meeting; and the Ordinance Review Committee unanimously approved extending the clause to December 31, 2008. The public hearing is scheduled for 7:30 p.m. on Tuesday, January 24, 2006. This item has been on the back burner, and it is important that the Council extend the sunset clause as a way of actually moving forward and helping our volunteer firefighters. There can be reassessment of options at the December 31, 2008 date.

Chairman Hall stated this matter will be the subject of a public hearing on January 24th; this information was prepared by the Town Manager; and is part of

the protocol for calling a public hearing. There is no action to be taken on this agenda item.

In the November 15, 2005 resolution, Mr. Orsini noted that the resolution did not state what the language would be for the public hearing, i.e. extension of the sunset clause. He asked if the Council must now pass a resolution to state what is being sent out to public hearing. At the time of the resolution it was unknown what the extension period would be.

Mr. Milone said that specifics of the change in the ordinance were not discussed at the November 15th meeting pending review by the Ordinance Review Committee.

Attorney Knott advised that since this matter was referred to the Ordinance Committee for a recommendation, and one has been made, if someone objects to going to public hearing the motion should be made to not go to public hearing until a review by the full Council is made of the recommendation...if they so choose. Either way the Council can do it.

Mr. Schrumm said normally it is not the practice to send something out unless the language is sent out and published. In this case, in order to not bog the Council down in its work, and if all we are doing is extending the sunset clause for the dates mentioned with no other changes, he would suggest going forward and not wait for specific language.

Stating his question has nothing to do with the language, Mr. Orsini said it was approving a public hearing to be held, and he wants to make sure its clear because the legal notice must be posted as to what the language will be. Is this Council accepting the recommendation of the Ordinance Committee to extend this for another three years, and is that what we are sending out to public hearing. If this is being done through the Chair with any objections, that is fine, but Mr. Orsini asked if this was procedurally correct.

Chairman Hall asked if any Councilors had objections to extending the sunset period as set forth in the memorandum from Town Manager Milone.

Mrs. Visconti noted that after the public hearing if a member of the public brings up an objection, the Council can change its mind and not go with it. She is assuming it is satisfactory.

Chairman Hall recollected that this was the only change from the Ordinance Committee, and his inclination is to go forward and not get bogged down with too much of form of substance. Sensing no objection from the Councilors, he thanked Mr. Orsini for the procedural statement.

7. NEW BUSINESS

A. Set public hearing for the proposed elderly tax relief ordinance Amendment.

MOTION by Mrs. Esty; seconded by Mr. Altieri.

BE IT RESOLVED, that the Town Council approves Resolution #011006-2

RESOLUTION #011006-2

BE IT RESOLVED, that the Town Council shall hold a public hearing on Tuesday, January 24, 2006, at 7:30 p.m. to consider an amendment to the elderly tax relief ordinance Section 17-6, 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 of any postponements thereof shall be determined by the Town Manager with the approval of the Town Council.

Discussion

Mrs. Esty reported that the Ordinance Review Committee began looking at the possibility of an increase to some of the income limits for senior tax credits in October. In December, the new Council moved forward rapidly to make some changes, and there was unanimous approval of the Ordinance Committee to put forward for a public hearing. Mrs. Esty outlined the proposal for a three-year phase in of an increase in property tax credit with maximum increase in tax relief for those at the lowest income levels within the residential requirements.

Mrs. Esty encouraged people to attend the public hearing to provide input on this important issue of the Town on what can be done to help seniors living in Cheshire for a long time to stay in their homes. The fact must be recognized that property values have increased significantly, and we have excessive reliance on property tax in Connecticut to fund our services. It is important that people understand that what they see as a proposal was recommended unanimously by the Ordinance Committee as the first in a three-year phase in of increases. The maximum increase in credit would be \$175.00 additional dollars this year; \$175.00 on top of that next year, and the following year. The proposal, however, is just for the first year, allowing the administration to keep track of what is happening. Not everyone eligible for a credit would get the maximum credit. They will be given to those residing in Town for 10 years or more. It is a complicated procedure to determine what the costs will be to the Town, and this gives time for the public and time for the assessor to determine the impact.

Another significant change from the Ordinance Committee is about the deferral of taxes program which is a program that has not been used in Cheshire due to the high interest rate for the deferral plan. The interest rate will be lowered for the

tax deferral to 6% (from 12%) annually and the formula has been simplified. Mrs. Esty noted that all property tax credits and deferrals cannot go beyond 75% of the total tax due.

Mr. Altieri commented that the State tax relief program is not done in Massachusetts towns as well as it is done in Connecticut. He encouraged people to attend the public hearing and let the Council know how they feel about this program. He commended Mrs. Esty for her work on this important issue of senior tax relief.

With regard to the three year phase in of the tax relief credit program, Mr. Orsini said he was not familiar with this phase in period. He does not recall that much detail discussed at the subcommittee meeting. For the lowest, married income category, Mr. Orsini said the proposal would take today's tax credit and increase it by \$175.00, and this is clearly spelled out in the public hearing notice. What he does not see is year #2 with a net increase based on today's number of \$350.00, and in year #3 it would be a net increase of \$525.00. He does not see this in the public hearing notice and does not recall it as being part of the approval to the Budget Committee for review.

According to Mrs. Esty it was not in the resolution, but it was presented as part of the three year phase in what was handed out to the committee at the meeting. It was discussed in the context of a three year phase in of which we were approving as this Council this first year. Obviously, next year people can decide to something different. The point of doing it in the phase in was to allow an assessment to see what happens to the actual numbers, see what happens with our revenues, and to make sure it is having the desired effect. It is correct that the committee only approved the first year, but it was discussed in the context presented of three years and the cost per year.

Mr. Orsini said his recollection of the papers passed out was putting three options in front of the committee; either start with the \$175 tier in \$25 increments; or start with the \$20 increment tier or \$30 increment tier. The committee picked the one out of the middle.

Mr. Ruocco said he would be careful describing this as a phase in based on what has been said. A phase in means you will see steps over the next three years, and this is not what is happening with this resolution. It is a one year plan; there may not be another increase next year.

In response, Mrs. Esty said it was presented by the Town Manager and three years were run by the assessor because we had looked for and proposed a larger increase. The Town Manager recommended looking at it as a three year phase in. So this was based on capable Town staff looking at phasing it in every three years as a fiscally responsible way of structuring that. The Council has the right to go forward or not with any increase or decrease.

If approved, Mr. Ruocco said there would be \$175.00 increases for the lowest income bracket for the next fiscal year. It does not mean there will be another increase the following year. He wants to make sure people are clear that this is not a phase in; this is a plan to offer additional tax credits for the next year, and consider the possibility of increasing them again in the following two or three years. It is not a phase in; it is a one year plan; it is not a three year plan. Mr. Ruocco said he was not opposed to the plan, but does not want it repositioned as something it is not. It is a one year proposal.

Mrs. Esty welcomed committee members or the Council members to say they are opposed to considering this as a three year phase which is the entire context it was discussed in. If this is the case, maybe the matter should be taken back to committee if there are concerns about the issue.

If that is the case, then Mr. Ruocco said that language should be put into the resolution. It should be described as a three year phase in. He understands the context under which it was discussed, but that context is not the same as the context of the resolution. It is a one year plan which is fine because it has always been a one year plan. The plan should be reevaluated annually. If we are looking at this as a three year plan it should be written as such. It is Mr. Ruocco's understanding that if approved the language cannot be changed between now and the public hearing.

Chairman Hall stated that Mr. Ruocco was correct.

Stating his understanding of what Mrs. Esty is saying and with appreciation for her work on this issue, Mr. Ruocco said it should not be positioned as a phase in because people will believe they will get \$175.00 each year for the next three years. This is not what the Council is proposing.

Mr. Ecke said it is clear the intention is to do this, but because we do not know the Town's future position, the Council is basically saying it reserves the right to not offer the credit in the 2nd or 3rd year out, or not to enhance the program if the Town cannot afford it. The intention is to do this in the out years, reserving the right to not do it if the Town cannot afford it for some reason.

Once a matter is out to public hearing, Mr. Schrumm said the Council can change it. The bulk of the impact of the vast majority of additional credits goes to the benefit of 33 households in Cheshire. The highest credit goes to 4 households; the next credit goes to 13 households; the next credit goes to 16 households; and it goes up from there. Obviously, it goes to those most in need, but there are few of them. If we are looking for broad based senior tax relief, the credits should be spread out over more income brackets, or be more generous. In looking at this phase in and with past budget experience, it would suggest these credits will be eaten up by the tax increases over the next three years. Mr.

Schrumm recommended sending the matter to public hearing; there will be more discussion. But for true relief in the amounts of \$900.00 heard last year which Mrs. Esty was talking about last fall, this is a long way from a \$900.00 credit. The Council should hear from the public, not get tied up with issues now, and there should be more generosity with more people.

Chairman Hall commended former Town Councilor Steve Carroll, former Chair of the Ordinance Review Committee, who played a large role in developing some of the ideas and thoughts behind the proposal for elderly tax relief.

Public Comments

Bill Kunde, Park Place, commented on the difficulty in getting information to the seniors because we are not doing them a service with TV or newspaper information. This is a serious issue and we want senior citizens to participate in the public hearing. There should be several sessions at the Senior Center between now and the public hearing for senior input. The Town must communicate with the senior and explain to them what they are going to get.

Town Manager Milone advised that the intention was to have information presented to the senior citizens at the Senior Center. Once this program is approved and goes into effect, staff goes to the Center and enrolls people into the program.

Mrs. Visconti reported that she has already received a call about the tax relief program from a constituent, and said she welcomes more calls.

VOTE The motion passed unanimously by those present.

B. Set public hearing for the proposed amendment to the Town of Cheshire pension plan ordinance.

MOTION by Mr. Altieri; seconded by Mr. Ecke.

BE IT RESOLVED, that the Town Council approves Resolution #011006-3

RESOLUTION 011006-3

BE IT RESOLVED, that the Town Council shall hold a public hearing to consider an amendment to the pension ordinance Sections 2-160.29(d) and 2-160.7(d), 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 of any postponements thereof shall be determined by the Town Manager with the approval of the Town Council.

Discussion

Mr. Altieri explained that this agenda item came through the Personnel Committee to be moved forward tonight. It gives all of the former dispatchers in that union access to their funds in the dispatcher pension plan. Many dispatchers have become police officers in the Cheshire Police Department, enrolled in the Police Department Pension Fund, but could not get access to their money contributed to the dispatcher pension fund. This ordinance change enables these people to have access to their money with interest.

It was pointed out by Mr. Ruocco that this resolution is going to return employee contributions only to the former dispatcher employees, not their full benefit.

Mr. Milone clarified that they will receive only their contributions plus 5% interest. The value of what the Town has contributed stays in the retirement plan. This affects about two people currently, but could affect 2 to 4 people in the future.

VOTE The motion passed unanimously by those present.

C. Discussion and action re: Acceptance of FY 04-05 Comprehensive Annual Financial Report (CAFR)

MOTION by Mr. White; seconded by Mr. Ecke.

BE IT RESOLVED, that the Town Council approves Resolution #011006-4

RESOLUTION 011006-4

BE IT RESOLVED, that the Town Council accepts the FY 04-05 Comprehensive Annual Financial Report.

Discussion

Mr. White reported that the Town of Cheshire received an unqualified audit report and basically that means everything looks good.

Mr. Milone said it was a very positive audit.

Finance Director Waldron highlighted the positive audit, stating that the Town received a clean opinion by the auditors. This is the first year the Town used McGladery & Pullen after an RFP by the Audit Committee in March 2005 when this firm was chosen. The transition went smoothly. She commended Mr. Jaskot and the Finance Department staff for their outstanding work on the audit. Throughout the year there were updates to the Council on how the year would

end. At the end of the year, 6/30/05, on the general fund side there was a surplus of \$1.5 million, which included the \$640,000 not used but appropriated from fund balance. During the year, \$258,000 of that was generated as a result of the refinancing on four bond issues, and that money was reserved from fund balance at the end of the year. This money is set aside for future debt service.

Additionally, there were two amounts subsequent to the end of the fiscal year which were appropriated with \$150,000 for the heart and hypertension reserve, and \$150,000 to further increase the debt service reserve.

In total there was a little over \$1.1 million appropriated from the fund balance 6/30/05, and this includes the \$550,000 which the Council appropriated as well.

The undesignated fund balance at 6/30/05 was \$5,049,000, representing 6.32% of the expenditures for the Town.

Tax collections were at an all time high rate of 99.6%. Ms. Waldron recognized Tax Collector Bill Donlin for the phenomenal job done by the Tax Department.

The tax lien sale originally had 30 properties and the final tax lien was on 8 to 10 properties. In the audit there was outstanding delinquent taxes for grand list '95, fiscal year ended 1997 was \$1.5 million; this year, June 2005, the outstanding delinquent taxes were \$317,000. The audit report was submitted to GFAO, and the Town has received the award for the last 12 years.

In summary, Ms. Waldron said the Town ended the year with a \$1.5 million surplus, fund balance at 6.32%, and going forward next year that will be positive. It is hoped that the outstanding collection rate will continue.

Town Manager Milone commended Ms. Waldron, Mr. Jaskot, and the Finance Department staff for their exceptional work on the audit and the work they do day in and day out. This is significant because this is the largest surplus and fund balance the Town has ever had, and the Town is in good stead as we move into a new budget cycle. Mr. Milone mentioned that this surplus would be \$300,000 larger but the Council put money into the reserve funds to pay for debt service and heart and hypertension. \$258,000 of the surplus was also put aside for debt service for next year. Debt service will not go up next year, and only slightly the following year. Mr. Milone thanked the department heads for staying within their budgets.

Mr. Milone recommended the Council look at pages 104 and 105 of the audit report which details the history of the Town's debt service. For the first time in about 9 years it is below 13% of the operating budget, and the long term debt per capita is the lowest in about 7 years. These are positive trends.

Lastly, Mr. Milone commended Tax Collector Donlin for the great tax collection efforts with a 99.6% collection rate. \$650,000 of the surplus comes from the outstanding tax collection rate.

Mr. Ecke commended Mr. Milone and Ms. Waldron for the Certificate of Excellence for the financial report. He noted that Mr. Bassett and Ms. Carling from the auditing firm had only positive things to say about their experience working with the staff, the cooperation of Town staff, and as expected, they said everything was in order. We are on a good standing to begin the next budget year.

With regard to the high tax collection rate, Mrs. Visconti asked if this indicates people are doing okay financially, and how Mr. Donlin got more people to pay their taxes. She has concerns about the poor people who cannot afford to pay their taxes.

In response, Mr. Donlin said the Town did a few different things this year such as an extended payment plan, met with individuals and defined ways to resolve the delinquency with equity loans and refinancing issues. The lien sale pushed more difficult accounts into payment. Cheshire does not have a large personal property problem, and there was aggressive movement with delinquent taxes through a collection agency. Mr. Donlin commended his staff for their hard work throughout the year.

It was noted by Mr. Schrumm that GASB changed the rules two years ago with accounting for capital equipment, etc.. Now, he understands the rules are changing on how government bodies account for pension liabilities. He asked if this is just at the state level first or if it would hit Cheshire this year. The question is when this will come to pass and the implications.

According to Ms. Waldron, GASB 43 and 45 wants towns to look at the other post employment benefits offered to employees. If a town offers medical benefits as part of a retirement plan that liability must be calculated and report it in the financial statements and start funding it. Right now only the Police Department receives retiree medical benefits and there is a trust fund to account for that. The town will have to begin reporting this in 08-09. The town will have to start funding the actuarially recommended annual contribution to that plan. Other post employee liabilities – vacation, sick time, is recorded in the financial statement now under GASB 34 for past benefits.

Mrs. Esty questioned whether there is some general amount for the undesignated fund balance.

It was explained by Ms. Waldron that the Town has tried to achieve over 5%. Rating agencies look at this 5% and what other communities with the same demographics have and what their reserves are. All reserves and liabilities are

looked at by the rating agencies. The rating agencies may be looking at increasing this percentage.

VOTE The motion passed unanimously by those present.

D. Discussion and action re: purchasing requirements.

MOTION by Mr. Ecke; seconded by Mr. Altieri.

BE IT RESOLVED, that the Town Council approves Resolution #011006-5

RESOLUTION 011006-5

BE IT RESOLVED, that the Town Council approves the requirements for sealed bids for February 1, 2006 through January 31, 2007 as for the previous period with no changes in the \$12,000 limit for non-construction related services and \$24,000 limit for construction related services, pursuant to Section 7-8(C)(1) of the Town Charter, and

BE IT FURTHER RESOLVED, that the Town Council authorizes the Town Manager and his designees to purchase goods or services for the Town through the State of Connecticut Department of Administrative Services without bids in accordance with Section 7-8 C(9) of the Town Charter, and through the following regional purchasing entities without bids in accordance with Section 7-8 C (10) of the Town Charter:

Capital Regional Council of Governments
Connecticut Library Consortium

Discussion

Mr. Ecke stated that this deals with requirements for sealed bids from certain government agencies or quasi government agencies. The limits are not being changed; we are only extending the agencies.

Town Manager Milone reported that there is an addition to the list of purchasing entities to include the State of Connecticut Department of Administrative Services. He advised that a significant number of purchases are the result of state bids on which the Town piggy backs. The last time the limits were increased to \$12,000 and \$24,000 was in the mid 1990's.

VOTE The motion passed unanimously by those present.

E. Discussion and action re: Waiver of bid for Town Hall ventilation system refurbishment.

MOTION by Mr. Ecke; seconded by Mrs. Visconti.

BE IT RESOLVED, that the Town Council approves Resolution #011006-6

RESOLUTION 011006-6

WHEREAS, the Public Works Department is refurbishing the Town Hall ventilation system as an approved capital item under Public Property building maintenance, and

WHEREAS, the Public Works Director has represented that use of the current maintenance and repair vendor would be advantageous to the Town, eliminating the preparation of costly formal plans and specification that would be necessary for bidding, and

WHEREAS, the Public Works Director has also represented that it would not be desirable to have a different vendor/low bidder to install a system that is designed, and then maintained by the current vendor, and

WHEREAS, the Public Works Director will informally solicit competitor vendor estimates for this project, and

WHEREAS, the Council finds it is in the best interests of the Town to waive the bidding requirements for the refurbishment of the Town Hall ventilation system,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council, pursuant to Section 7-8 C(11) of the Town Charter approves a waiver of bid for said ventilation refurbishment project, subject to final approval of the negotiated agreement for said project by the Town Council.

Discussion

PW Director Michaelangelo stated that the HVAC system must be consistent with air flow throughout the building, and the units control the flow of air. The system provides both the cooling and heating and the air flow all year round. The system is 17 years old and has some problems. There are about 75 units in the building which control the flow of air; they are encased in foam; have caused problems for years; and the projected cost of the project, \$150,000, is included in the capital budget.

There was a test section done in the Public Works and Finance Departments for the HVAC system. Changing over the system will be difficult to put on paper for the HVAC contractor to know what to do, and it is very costly. This is a trial and error type system to install the units and there are calibration issues. PW wants to go about this in a different way, either use the existing contractor, or get quotes from other vendors on the system.

Mr. Altieri asked if the current company, Bedell Company of Shelton, CT and the Town's experience with them and how comfortable Mr. Michaelangelo is with them to continue the service.

Mr. Michaelangelo reported that the company has been good to work with, and because these units have been troublesome over the years they have fixed them properly at a fair price and at our schedule. Another factor in the replacement will be the work being done during Town Hall work hours, and Bedell is sensitive to the work environment and needs of the staff and scheduling.

Mrs. Visconti said there have been complains for years about the heating and air conditioning in the building, and asked if this company designed the system.

The HVAC system was designed by the architect 20 years ago, and Mr. Michaelangelo said the system worked in theory earlier, but foam installation has dried out and comes out of the vents. The entire system has flaws, and the new system will control the flow of air with more controls throughout the building.

Stating he is not comfortable with waiver of bids, Mr. White said that in this case it makes sense, with the primary concern of keeping down the cost. We have the cost of purchasing the product and the cost of installing the product, along with the ongoing maintenance and service calls. Moving from a bidding to negotiating process, we are basically saying we will take a more logical approach to incorporate all these variables which are difficult to quantify in a bid. The goal is to keep the costs down and do what is best for the Town without putting everything out to bid.

Mr. Michaelangelo said he anticipates the vendor's contract will be performance based and meet all the criteria regardless of whether it's in one location or another, or how it's set up. We are saving the effort of putting everything down on paper, i.e. construction bids the size of a phone book. This would be tedious to do, and even with such plan preparation, he is not sure it can be nailed on the plan. There is much adjustment to be done when installing this system.

For clarification, Mr. Milone said this project was approved in the capital budget in August 2004 for \$150,000 appropriation.

Mr. Ecke asked if the Town would be talking to other vendors about this project.

Knowing the Council does not like to waive bids, Mr. Milone said the request is for a waiver of the bid process so that Mr. Michaelangelo can negotiate with a vendor or vendors. It would still have to come back to the Council for final approval of the contract. Unlike other bid waivers where approval is given and the Council does not hear about it again, this contract cannot be awarded without the Council knowing the process, the price, and if not satisfied, the Council can deny it.

As part of the negotiations, Mrs. Esty asked whether the servicing contract is part of the project - proposing design, installation and service to our specs and to our satisfaction. Or, whether the pieces will be looked at separately.

Mr. Michaelangelo said there is not need to commit to that, but the implication is that if we are satisfied with a vendor, they would have the benefit of the doubt for the maintenance contract of the system.

Mrs. Esty said she agreed that this makes sense – to have the people who maintain be the same people who design and install it because the chances to get it to work right, and their investment to insure it works right is greater. She shares the discomfort with the general theory of no bid contracts, but in this area it does seem prudent to try to bundle everything we are looking for to get the satisfactory performance we want. Also, she asked if there would be any energy efficiency with this project to offset the high utility increases we are facing.

Mr. Michaelangelo said “yes” because the present system does not work well and is not finely tuned. When the replacement system is in it will mimic the original installation with advanced controls and will operate better.

Mrs. Visconti asked if the Energy Commission had any say in this matter with any suggestions.

Stating he had not contacted the commission yet, Mr. Michaelangelo said he would meet with them and receive their feedback.

With regard to the January 5th memo from Mr. Milone, paragraph #6, Mr. Schrumm said this is a bid for the ventilation refurbishing project. He guesses this means that it has been decided that Bedell will design any changes to be made, and then we will negotiate the bid from there. He questions what is being fixed; this is an inadequate system since the day it was built; and we are wasting tremendous amounts of energy. There is something wrong with the system. Mr. Schrumm asked if we are just replacing the components, or is the whole system being redesigned, and just what is being done.

There was a trial and error test in the PW department offices was basically the design, the concept of replacing the units. We are doing a combination of 1x4 and 2x2s, so the selection of the units themselves, the general method of how they will be replaced, installation and controls, is what was conceptually designed by the trial and error test. There is no specific design of the units and where the controls will go. This will be a monumental effort to translate onto paper which Mr. Michaelangelo hopes will not be done during this process. The system must be calibrated properly to accomplish heating, cooling and air flow that we want.

Mr. Schrumm said that Bedell has already designed the system, conceptually, and now we are saying - give the work to this company because it will be cheaper than what anyone else can do.

Mr. Michaelangelo said the Town can go for quotes. There has been some independent checking, and the material is about 45% of the cost with labor the other portion.

According to Mr. Orsini, he heard that only one firm has looked at this with a recommendation for a design.

Mr. Michaelangelo said that was correct.

Mr. Orsini asked if there is the intention to have any other firms come in and look at the system and recommend a design, or is it set to stay with one design focus. And, based on that one design, the Town will solicit competitive vendor estimates, without any other design recommendations.

We would probably stick with the components specified, and Mr. Michaelangelo said these companies do this for a living, so everyone can offer a different suggestion, and we may find out something we don't know now.

Mr. Orsini asked if any informal competitive solicitations have started, or if the Town is waiting for Council approval. And if approved how long will it take.

Mr. Michaelangelo said they are waiting for Council approval, and it should take about one month, with the time frame to get this done before the cooling season starts.

It was clarified by Mr. Orsini that Mr. Michaelangelo will come back to the Council with the dollar amounts. The current estimate is \$115,000, and he questioned capping this project at that amount. Based on the fact that the Council will see the contract, Mr. Orsini also asked that copies of the competitive vendor estimates be included in the packet.

Mr. Ruocco asked if there were any ideas about energy savings with the upgrade of this system.

At this time, Mr. Michaelangelo said he does not know energy savings estimates, but the basic system will work the way it was designed 17 years ago. The only savings will be a reduction in the waste of energy.

VOTE The motion passed 8-1 with Schrumm opposed.

F. Discussion and action re: adoption of amended Section 125 Plan Agreement due to change in service provider.

MOTION by Mr. Altieri; seconded by Mr. Ecke.

BE IT RESOLVED, that the Town Council approves Resolution #011006-7

RESOLUTION 011006-7

BE IT RESOLVED, that the form of amended Cafeteria Plan including a Dependent Care Flexible Spending Account and Health Flexible Spending Account effective January 1, 2005, presented to this meeting is hereby approved and adopted and that the duly authorized agents of the Employer are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

BE IT FURTHER RESOLVED, that the Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.

BE IT FURTHER RESOLVED, that the duly authorized agents of the Employer shall act as soon as possible to notify the employees of the Employer of the adoption of the Cafeteria Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved.

BE IT FURTHER RESOLVED, that attached hereto as Exhibits A, B, and C, respectively, are copies of the Town of Cheshire, CT Section 125 Flexible Plan (The Plan) as previously amended and restated, the Summary Plan Description and the Third Amendment to the Plan.

Discussion

Ms. Waldron explained that two months ago the Council approved the service agreement with the provider for the 125 Plan. Tonight, the Council has before it the plan itself, one amendment, and the summary plan which goes to employees. In June 2002 the Council adopted the 125 Plan and subsequent to that time the service provider has changed and a new company wants adoption of the plan in their format.

The Council is adopting the plan itself formatted in the new format; the summary plan description which goes to the employees; and Exhibit C, the third amendment adopting an IRS regulation that extends the period of time that employees have to spend their medical flexible account by 2.5 months. Now, employees have 14.5 months to spend their account.

Mrs. Esty said she has read the plan and people should know this is a terrific plan and benefit for Town employees to set aside money for child care and

health care expenses not otherwise covered. If someone sets aside \$2,000, spends only \$1800 by December 31st, the now have another 2.5 months to spend their account balance of \$200. In the past, this \$200 would be lost to the employee and this was not fair.

In 2002 very few people participated in the 125 plan, and Ms. Waldron reported that now there are over 50 people on the Town side in this popular plan.

Town Manager Milone said the timing of the implementation of this was important because co-pays have increased. One of the ways of selling this to the bargaining units was that we were establishing the 125 Plan so people could put money aside on a pre-tax basis to mitigate some of the impact of the larger co-pays.

This plan is for Town employees, but Ms. Waldron said the BOE has a similar plan.

Mr. Ruocco pointed out that the IRS has implemented the Health Savings Accounts and these funds can be taken to a new employer if someone switches jobs.

VOTE The motion passed unanimously by those present.

G. Discussion and possible action re: Legislative Package

MOTION by Mr. Altieri; seconded by Mrs. Visconti

BE IT RESOLVED, that the Town Council approves Resolution #011006-8

RESOLUTION 011006-8

BE IT RESOLVED, that the Town Council adopts the 2006 Legislative Package and presented and attached.

Discussion

Mr. Altieri announced that he worked with Town Manager Milone in putting together the Legislative Package. He was in touch with most of the state legislators, and has received feedback from most of the Council members. The goal of the package is to articulate to the legislators Cheshire's priorities, focusing on what is doable and achievable. The legislators gave Mr. Altieri the sense that there are some items on the list which could they could help with, others they will give guidance and assistance on (i.e. State Plan of Conservation and Development discussed at the last Council meeting), and other items on the list which would not change. The list is in priority form; there are certain things the Council wants to bring to the attention of the legislature; and hopefully the

early items of discussion can be the ones most doable and achievable; and the ones further down the list will take a more monumental legislative effort to achieve.

Chairman Hall advised the Council that the state legislative delegation will be attend the Council meeting on January 24th to discuss the legislative package and other items which the Council wishes to raise.

Before going into the 9 items on the list, Mr. Orsini commented on the recommendations being different from the first list in that they are arranged in priority ranking. He asked why there is the priority ranking, who put them into priority ranking, and if the person who ranked the items is ready to debate that issue, or if the language can be removed with the Council coming to agreement that whatever is resolved tonight are all issues of importance to the Town.

Stating he received feedback from the Council members, Mr. Altieri said the items are listed in importance as reflected by the Town Council input. It is important to understand that in talking to the legislators about what is doable and achievable, it is important to discuss those items first. The ones the Councilors weighed in on as important issues are on the list; there will be a free flowing discussion with the legislators; but he felt discussion needed to be more focused within a certain amount of time. This is how the list was put together with the cooperation of the Town Manager.

When the Council votes on the list, Mr. Orsini questioned whether they would be retained in priority order.

Mr. Altieri said this is the order in which the Council will speak to the issues with the legislators. If Council members wish to bring on an issue for discussion with the legislators, they can take the floor and discuss them.

Thanking Mr. Altieri for his work on the legislative package, Mr. Ruocco said he did not recall any discussion about priority order of items in the legislative package. It was made clear by Mr. Altieri that he wanted items that were achievable, reasonable and realistic. If the word "priority" is the one to be used, Mr. Ruocco has serious problems because it is reflection on the Council and the Town. He cannot imagine that an artificial turf football field has more priority than ECS grants. Based on the football field being placed #6, it means that more Councilors want turf than education cost sharing. He is not sure this is a list of priorities as much as it is a list of preferences, and he a real issue with item #6.

It was noted by Mr. Ruocco that Town Manager Milone works hard every year to go back to the State and tell them what is needed to benefit the Town as a whole, to benefit the Town's entire population. And, in Mr. Ruocco's opinion this priority list diminishes the seriousness of what the Council is trying to do.

Mr. Altieri said he does not feel a turf football field is more important than education, but in this day and age, ECS grants and the history of the state formula, the chances of changing this in talking to our delegation is not good. In this day and age the chances of saving money by getting money through the State Bonding Commission for a turf football field is more achievable and doable than getting ECS grant changes. This is what the list reflects and he would be in agreement that ECS grant should be changed in the way money is distributed.

It was stated by Mr. Schrumm that Mr. Altieri is right about what is achievable and doable. In this election year the chances are that some representatives will feel compelled to bring money back to the communities, and the football field is precisely the kind of thing they love to do in an election year. However, in taking a look at what Cheshire really needs, and the fact that ECS funding will not change given the dysfunctional legislature in Hartford, why not ask for something that will bring a tremendous benefit to the Town, and offset some of the education costs which will have no reimbursement.

To that end, Mr. Schrumm suggested that #6, instead of \$500,000 which is quite doable, be changed from turf on the football field to improving the capacity and the existing facilities of the Cheshire Wastewater Treatment System. Mr. Schrumm noted it is known that the WPCA is on the threshold of doing some good things with DEP in upgrading the plant and our capacity. In getting \$500,000 for that may enable the Town to avoid a \$20 million expenditure down the road, or push this expenditure well out into the future.

Mr. Schrumm recommended asking for \$500,000 which would defer or extend a \$15 million to \$20 million expenditure. This would be a better investment for the Town, and if we are to ask for a goody, let's ask for one that matters.

MOTION By Mr. Schrumm; seconded by Mr. Ruocco

Amendment to the motion on the floor:

MOVED that the wording of #6 in the list of priorities in the Legislative Package be changed to request funding from the State Bond Commission for \$500,000 estimated for improving the capacity and existing facilities of the Cheshire Waste Water Treatment System.

Discussion on the amendment

Mrs. Esty asked if this was for \$500,000 to go towards improvements and upgrades at the water treatment plant.

Stating that was correct, Mr. Schrumm said that \$500,000 is a typical amount in State grants. Cheshire has received funding such as this in the past for capping the Town dump. The ECS formula is complicated, and the average citizen will not even read it. If you're a legislator running for re-election, you want to find something neat which a town wants. Therefore, we should ask for something we

will likely get, something which will have a real financial impact on the Town. If we can fix some of the I&I and some of the things Metcalf & Eddy is working out with DEP, this could be a home run for the Town and will have great financial impact. Thinking about the serious priorities of this Town, a football field would be lower ranked.

Mrs. Visconti commented that turf for the football field is not frivolous because the field is in bad shape, is used by many kids, is not safe, and the community will have to pay for it. She is not sure of the differences between the long term and short term costs. However, she said Mr. Schrumm made an interesting argument in asking for money for the water treatment plant. She presented the following amendment to the amendment on the floor:

MOTION by Mrs. Visconti; seconded by Mr. Altieri.

MOVED that there be items "6A and 6B" in the Legislative Package.

Discussion on the amendment to the amendment:

Mr. Schrumm said that if Cheshire wants to request serious things, then the Council must show it is serious, and make a serious distinction. As far as he is concerned, there is a huge difference between a football field and the treatment plant.

With regard to the water treatment plant needs which must be done, Mrs. Esty asked the Town Manager for actual things to be done, and she has not seen this sort of list. Her understanding is that we are still in the process of evaluating what might need to be done, and her concern is credibility, with the Town wanting money and then we'll decide what to do with it. If she were a legislator she would want to see exactly what is wanted. She believes we will have a list with an unknown amount at this time, and in good conscience does not believe such a list can be ready for two weeks when we meet with the legislators. Mrs. Esty commented on the prison contributing more to the sewer system which the Town has financed, and we are at capacity partly due to our good will in continuing to allow expansion of the prison, which has produced, in part, this problem. There is ample reason to solicit state assistance and she supports this with a specific proposal adding to a specific amount.

Mr. Schrumm referred Mrs. Esty to the Five-Year Capital Budget of the Town of Cheshire which is replete with improvement projects for the waste water treatment system. His motion referred to increasing the capacity which relates to the actual sewer treatment plant, but there are other projects coming on line for the pump stations. Any funding received to be put towards these infrastructure improvements will benefit the Town. Given the time line by Metcalf & Eddy with DEP, by the time the state legislature would get this through the Bonding Commission, there clearly will be additional expenses. At this time there are enough projects in the capital budget for enhancements of the pump stations.

Mr. Schrumm and Mr. Ruocco agreed to the amendment to their amendment presented by Visconti and Altieri.

Mr. Ecke stated that the football field is not a priority set by the Town Council, but right now the State is handing out funding throughout Connecticut for these types of projects. If the State gave Cheshire \$500,000 for the water treatment plant he would take it and leave the field behind. But, he has not heard a lot about \$500,000 being handed out for treatment plants in the state, but has heard about \$500,000 in gifts to towns. If we could sit down with the legislative delegation and they could tell Cheshire it could get \$500,000 for the treatment plant, no Councilors would oppose it. We would also take more ECS funding, if offered. If the funding could come to some other project deemed important by the Council, i.e. ECS or the treatment plant, we would take the money, but they seem to be handing out money for ball fields, and that is what we asked for.

Chairman Hall said that Mr. Orsini's most relevant point, and his personal interpretation is that the Council is trying to set the agenda for the meeting with the legislative delegation. The ranking was set by Mr. Altieri after soliciting others, but no effective interaction with the legislators will take place just by putting a wish list in front of them. There must be support from the legislators, dialogue and continuing conversation. According to Mr. Hall, he considered the list as a menu for the meeting agenda with the legislators, and no one will be denied the opportunity to ask the legislators about the items of more importance to them. Mr. Hall said he would entertain a qualifier to the motion on the floor that this is subject to review and revision by the Council after the legislative delegation meeting as to what it wants done.

Mr. Altieri said that when he asked for feedback from Councilors on important issues, no one e-mailed him about the waste water treatment plant. The fact it was not on the list does not mean he did not consider it important. The turf for the football field is an important facility, not frivolous, and some day every school will have to have a turf field. The list is one way of getting one without going through a bonding issue, and then there might be money through the State or on our own to take care of the waste water treatment plant. Both items have priorities and 6A and 6B is fine with him.

Regarding the amendment adding the waste water treatment plant and retaining the high school field, Mr. Orsini said he still wrestles with this, but it is just something to present to the delegation. He noted that Mr. Ecke said the State is handing out money, and asked if this money is only for turf football fields.

In response, Mr. Ecke said that many communities around us have gotten them and all were state funded.

As for Mrs. Esty's comment about still evaluating things at the treatment plant, Mr. Orsini asked if we are not still evaluating how to fix the high school football field. He asked if a turf football field is anywhere in the capital budget for the next 5 years, or has the BOE even asked or said they wanted the turf football field, and is this documented somewhere.

Mr. Milone said in the capital budget developed for FY 08-09 there was a BOE request for \$500,000 for artificial turf for the football field. It never got beyond Mr. Milone, and the reason he did not recommend it was twofold. The over-riding criteria used in evaluating the request was whether they were compatible with requests in the previous five-year plan; this was not; it was new. As a result, he was uncomfortable supporting it. The other reason for not recommending this to the Council was that Rep. Adinolfi had been asked to pursue this on behalf of the BOE, and Mr. Milone felt that as long as there was potential for state approval he would wait and see this outcome before including it in the five-year plan. So, the request was made but not recommended by Mr. Milone in the document transmitted to the Council.

The Council was informed by Mr. Ecke that there is a group in Town which wants to raise money for the artificial turf. He does not think anyone will ever say that part of the capital plan should be \$500,000 which the Town should pay. He thinks the intention is if the State does not provide funding, then money will be raised for the field.

In listening to the discussion on the artificial turf versus the waste water treatment plans, Mr. White said it is a question of the Town possibly receiving STEAP grant. But, his preference is to not vote for any motion that includes the artificial turf, waste water treatment plant. What makes sense to him is to defer to the Town Manager on the preferences for Town capital projects if \$500,000 were available. And, request Chairman Hall to set the agenda after having conversations with people to find out what the most likely project would be for the grant money. Mr. White said he would not vote for any of the motions because he thinks doing something with the treatment plant makes sense, and the turf at the field would be nice. He would prefer to defer to the Town Manager, asking him for his priorities, then go to the Chairman, and have him work with the agenda from there.

There will be a discussion with the state legislators, and Mr. Schrumm said if we leave the football field in there and that is what is chosen for funding, the Town will have to put in the turf. There has been no discussion about other funds from outside groups after 4 years; no money has been received; there has been no discussion of this project during capital budget; and, there has been no discussion about the implications of a synthetic field used by other community groups which could present problems and issues. Mr. Schrumm wants a full vetting of whether this is a good idea or not, and what will happen to other aspects of the community. Before we ask for something, i.e. funding for the field

and whatever else, does that mean the Town is committed to putting the turf on the field.

This discussion started on what is doable and achievable, and Mr. Ruocco said it bothers him that we are living in an environment where a football field is more doable than changing the laws that make the Town more fiscally autonomous. In looking at item #7 and #8 on the list in the Legislative Package, Mr. Ruocco said if the State made the right kind of changes which benefited Cheshire we would not have to ask for funding for a field or the treatment facility. The Town would save enough of its own money to buy 10 fields. This is the problem he has with this, asking for pork. He will support the list, but considers this a typical example of pork barrel spending, and in order to support the package you have to take some bad things with it. Mr. Ruocco said he would be insulted if Cheshire got a football field before funding of the expansion of the treatment plant.

Mrs. Esty hoped that in the language for the description for waste water treatment there is language included that makes clear some responsibility and speaks to all the Council feelings about spending priorities. The treatment plant is clearly needed and more money to be spent there. Mrs. Esty thinks it must be emphasized to the legislators that part of our problem is the State's own involvement through the prison which has pushed up the capacity. This underscores the extent to which the State rightfully should be assisting, and can make a case for why Cheshire should be assisted. This does distinguish Cheshire's case and is a legitimate reason for asking for the money which is not pork, and could free up funds not otherwise available.

Mr. Schrumm would not consider money for the treatment plant as pork. The prison strengthens the argument for the waste water treatment part of the package.

VOTE on the amendment on the floor: In favor – 8; opposed -1 (White).

Public Comments (on the amended motion)

Ray Squire, 291 Cook Hill Road, addressed the Council stating that Mr. Altieri is right that no one asks about the waste water treatment plant because the public is not aware of important problems as is the Council. There is no slam dunk for having a football field for 13 weeks a year versus toilet water for 52 weeks of the year. Mr. Squire stated he wished this meeting were not televised because the discussion should have been done in a round table committee meeting without the benefits of camera, and it has been a waste of 50 minutes of time. He asked how many of the legislators would attend the meeting next week, since last year only three showed up. This year he hopes they all attend the meeting. Mr. Squire said the list should not be prioritized; they should be placed alphabetically. He said the water treatment plant is more important and more needed than a football field. He wishes the State would give Cheshire the \$500,000 to spend as it wants. Mr. Squire also said that senior citizens will not come out for the

upcoming public hearing, and suggested seniors hire a lawyer to present their case to the Town Council.

Steve Carroll, 7 Hidden Place, said that this legislative package has taken on a different field than those of the past. There is a seriousness with this package; Council meets with legislators only once a year; and it is not a matter of what can we get and put it on the list. We may not think the ECS formula is important, but last month there was a press conference at the State Capital announcing a consortium of municipalities and individuals who are lobbying the State to get the ECS formula changed. If successful, this will mean Cheshire will get less ECS funding. ECS funding is important, and if the Council does not think its important they are not doing their job. We must stand up for what will help most citizens of Cheshire. The football field needs to be stricken from the package; it does not belong in the seriousness of the package; and he hopes the Council will amend the legislative package. The football field diminishes all of the other arguments. The ECS funding and PILOT money affect every single Cheshire resident.

Bill Kunde, Park Place, agreed with the prior public sentiment stated, and said the football field has a time and place and so does the treatment plant. If the legislators decides a football field is more important than public safety and health, then vote in a new legislators in Hartford. He also hopes that the football field is eliminated from the legislative package because it is not the time and place to do it. The CHS athletic director stated a group would raise the money for the turf for the field, and have enough money for maintenance costs and replacement after 10 years. The legislative package is not the place for the artificial turf, and what does belong is ECS, infrastructure, arbitration, all for the benefit of the entire community. Also, if the football field is done, it is unknown what the impact will be on the community based on its use or non-use going forward on all the activities for the field.

In speaking to the main motion on the floor, Mr. Orsini said that he voted in favor of the amendment in order to add another item to the package. He commented on item #8, and proposed a slight change in the wording as follows:

“...to reform the education cost sharing formula so that it better meets the cost of unfunded state mandates”

Mr. Orsini said we are not asking for more money simply to do other things in the education department that we decide our needs are, but we are asking for a reform to the formula so Cheshire gets more compensation for the forced mandates by the State of Connecticut. These mandates are funded by local property taxpayers due to inadequate ECS funding.

Mrs. Visconti said she would not support this proposal.

Chairman Hall stated to the Councilors that this package is a heads-up from the Council to the legislators as to what will be discussed with them on January 24th.

No member of the Council will be denied the opportunity to speak to an item. Also, there will not be unanimity on every word in the document. Regarding item #6, Mr. Orsini said he is disappointed that this was not removed from the package, but senses the majority wants to keep item #6. As long as #6 stays in the document, Mr. Orsini said he would vote against the main motion.

After thinking about item #6, Mr. Schrumm said he hopes this does not come back to haunt this Town Council.

In the interest of furthering bipartisanism Mrs. Esty suggested removing item #6 on the artificial turf for the football field to #10 and making the waste water treatment plan #6 in the document. This would reflect the belief on the priority needs of the community, and help the Council members have a greater sense of comfort with the overall view of the package.

MOTION by Mrs. Esty; seconded by Mr. Ecke.

MOTION to amend the Legislative Package to move #6-Artificial Turf-High School Football Field to #10; and #6 becomes Waste Water Treatment Plant.

VOTE The amendment passed 7-2; White and Altieri opposed.

Discussion on the amended motion

Mr. Ecke clarified that no Council member is asking the people of Cheshire to go out and directly pay for this football field through property taxes. We are asking the State to give this money to Cheshire as has been done with other towns.

VOTE on the amended motion: 7-2; Orsini and White opposed.

H. Discussion re: Strategic Plan Review status.

Mrs. Visconti presented background and update on the Strategic Plan which was created in 2003. It was a collaboration of more than 50 people working with Town staff to make long range plans. Overall goals and strategies were developed by the committees; the plan was sent out as a questionnaire to Cheshire citizens for a voice in determining the Town's priorities; and the Town Manager incorporates the plan into his yearly goals and objectives. The updating process was changed last year in an effort to have boards and commissions collaborate, and to have the newly elected share in the process with review of the plan and prioritize goals and objectives. On February 1st and 2nd, the Council will hear from boards and commissions. Feedback will be put together to develop the plan for Council approval. Council members and the public are invited to attend any and all meetings.

On February 28th, Mr. Schrumm said there will be a meeting to update the economic summit, and he asked if the February 1st or 2nd meeting will be the same format at this summit.

Chairman Hall explained that the intent of the February meetings is to promote communication between boards and commissions with overlapping interests and concerns, and has merit with hearing goals and objectives.

I. Discussion and action re: Approval of appointments of Subregistrars.

MOTION by Mrs. Visconti; seconded by Mrs. Esty.

BE IT RESOLVED, that the Town Council approves Resolution #011006-9

RESOLUTION 011006-9

BE IT RESOLVED, that the Town Council approves the Town Clerk's appointment of John W. Ford and James M. Anthony Jr. as sub-registrars authorized issue burial and removal permits for the term January 2, 2006 through January 7, 2008.

VOTE The motion passed unanimously by those present.

J. Discussion and possible action re: Settlement of Winter Ridge vs. Town of Cheshire (possible executive session) (Withdrawn)

8. TOWN MANAGER'S REPORT AND COMMUNICATIONS

A. Monthly Status Report

B. Monthly Departmental Status Reports

C. Other Reports.

- FY '06 Monthly Report – tax collection ahead of this time last year; investment income and Town Clerk's revenue 20% ahead of last year; \$750,000 to \$1 million over on the revenue side. Expenditures – utility costs will have a big impact on the budget due to the rate hikes with a \$125,000 shortfall for the Town side and about \$150,000 for the BOE side. WPCA Budget - \$60,000 shortfall expected in this budget; Community Pool budget shortfall expected at about \$100,000; these are due to utility related expenses.
- Wastewater Treatment Plant – Sump Pump Inspections have started by the consultants; there are 270 homes to visit; one-half of the homes visited (160); entry was gained in 80 homes, and there were 10 appeared to be connected to the treatment plant. Just those 10 homes alone represents

thousands of gallons of effluent being illegally pumped. Once the data is compiled, it will go back to the WPCA to determine how to deal with this situation.

- WPCA meeting – Metcalf & Eddy presented the initial findings of the re-rating of the treatment plant with suggested capacity of 3,800,000 gallons. The plant was rated for 3,500,000 gallons, so if M&E is successful in getting the State to re-rate the plant capacity and increase the permit, there would be another 300,000 gallons of capacity for the plant. The final determination will be known in June or July when DEP completes its review.
- State Plan of Conservation and Development – this is the map which has caused so much consternation and concern when the WPCA was examining its options during the temporary moratorium. Town Planner Voelker is working with his staff, taking Cheshire's map of Conservation and Development, overlaying it on the State's plan. The intention is to come to the Council in early February, and discuss the incompatibility of the two maps because there are obvious and apparent issues with this, and we want to make sure the entire thing is covered. Mr. Voelker will outline all the issues relative to the incompatibility. Mr. Milone has discussed this matter with Chairman Hall, and the intention is to get a meeting of the Council, WPCA, P&Z, and other land use agencies when Mr. Voelker makes his presentation so everyone can weigh in on it, and what to do in reaction. Then, Cheshire will go before the DEP and argue what changes should be made to the map.
- Snow Removal Information – complete report distributed to the Council in their packets. Mr. Milone said he wants to heighten the public's awareness of what goes on with snow plowing in Town. Mr. Michaelangelo and Mr. Milone will work the snow removal information into an article for the newspapers for public information, and also put it on the web site. PW Department maintains 350 miles of roadway, or 300 lane miles, with 13 trucks for about 12 miles per plow route. At times there are 5 supervisors out on the pickup trucks monitoring the speed of the trucks, deposit of snow. Mr. Milone reviewed the mailbox replacement policy noting that the Town does not replace mailboxes damaged by the weight or snow or slush thrown by the plows. If a mailbox is hit by the plow blade it will be replaced by the Town, and drivers are cautioned to minimize property damage. There is a minimum speed which the trucks must travel in order to adequately remove the snow, and mailboxes will go down even when trucks are moving slowly. Residents should call the PW Department if they believe trucks are going too fast. Trucks are plowed curb to curb to clear storm drains; damage to curbs or landscaping will occur; residents should advise Town Hall and they will be inspected and repaired. Parking bans must be adhered to; sidewalks must be cleared

within 24 hours after the storm to provide safety for school children. Mr. Milone invited Council members to ride on the snow plow trucks with PW crews for an hour or two during a snow storm situation.

- Personnel Issues – Mr. Milone reported that at the November meeting the Council approved some changes to the job descriptions for the Captains in the Police Department, and there were some concerns raised by the Police Department Union. There was discussion with the union, and there was an amicable resolution. Next week, Chief Loudon will announce appointment of two new Captains. Mr. Milone announced to the Council that Diane Waldron, Finance Director, will resign her position as of January 31, 2006 to take another position as Finance Director in another Town. This is an opportunity for her to grow in her profession.
- Prison Facility – Inmate Count is at 2420 prisoners at CCI, Webster and Manson facilities.
- Post Office Relocation Status – one site has been found in the south end of Town as a possible location for the contract station; the post office is in negotiations and this will be finalized in a few months. Ms. Walker, P.O. representative expects final approval of funding for the post office site in the north end of Cheshire at Highland Avenue just beyond Sandbank Road. The facility will be about 4000 s.f.; the design has been started; construction should begin this summer.
- Community Pool Burner Installation – it is expected that the new burner will be installed on January 23rd and 24th; the pool will be closed for one day, maybe two days; and the public will be notified once the equipment is delivered.
- Martin Luther King Day Holiday – all Town offices will be closed January 16th.

9. TOWN ATTORNEY'S REPORT AND COMMUNICATIONS

Town Attorney Knott reported to the Council that there are 3 or 4 pre-trial conferences scheduled for tax bills at the end of the month.

10. REPORT OF COMMITTEES OF THE COUNCIL.

A. Chairman's Report

Chairman Hall reiterated that the legislative delegation for Cheshire will meet with the Council on January 24th. After a brief discussion, it was decided that this meeting will take place at 8:15 p.m. immediately after the public hearings which begin at 7:30 p.m. Mr. Hall also advised that he wants to continue the 2nd Council meeting each month for discussions with boards and commissions and the Strategic Plan.

B. Committee Reports

Audit – no report.

Budget – no report.

Ordinance Review – several issues in progress.

Planning – no report.

Solid Waste – no report.

Personnel – will be meeting in the near future.

C. Miscellaneous

Mrs. Visconti presented a brief update on the youth forum held in November which was successful. She credited Mr. Altieri for moderating the forum, and thanked the experts, town staff, clergy who attended, and who raised their concerns. The outcome of the forum is that there was a good sense that there are activities in Cheshire for youth, 500+ Park and Rec programs, Youth Services Committee, the Yellow House, good schools, etc. There were identified challenges such as underage drinking and drug use, with national statistics showing 47% of the middle school children have been drinking in the last year. Those in attendance agreed there is great pressure on kids in Cheshire. There was advice given on parenting and for the community. Mrs. Visconti advised that the information is being forwarded to the Youth Services Committee, Human Services Committee, Board of Education, and other interested groups for their input, ideas and more programming, and to look at what is being done which could be improved. She expressed her interest in having a questionnaire for parents and students to complete anonymously. The questionnaire would ask what kids are doing, what are the risky behaviors, drugs, drinking, and the extent. This will provide information so schools and the community will better know what policies and activities should be in place if the full extent of what is going on is known. Mrs. Visconti said it is always good to know the effect of the policies and what works and does not work.

Mr. White commented on the forum being a good idea, and suggested that encouragement of relationships and communication be added to the list of concerns. Also, this type of forum should be continued to affect the kids and the Town, and use of Channel 14 could benefit the kids and the general population.

11. APPROVAL OF MINUTES
Regular Meeting of December 13, 2005

MOTION by Mrs. Esty; seconded by Mr. Altieri.

MOVED that the Town Council approve the minutes of the regular meeting of December 13, 2005 subject to corrections, additions, deletions.

Discussion

Page 3 – 1st para. line #1 – “The \$350,000 is not yet appropriated...”

Page 5 – 1st para. line #3 – “or accept the reward.”; para. #9 “HSA” (not HAS)

Page 6 - 4th para. line #2 - ...received an increase “in employee contributions from 12.5% to 15% on health insurance premiums.”; 1st para. line #3...change to HMO at 10%

Page 8 – 1st para. line #4 – change to “the 3 years.”

Page 15 – 6th para. line #2 - ...hooking up to the “septics” requires...

VOTE The motion passed unanimously by those present.

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports

Mr. White reported that Human Services Committee has a web site “Cheshire cares.org.

Energy Commission did not meet in December; the lighting project phase #3 has 4 more schools added (Doolittle, Norton, Darcey and Chapman) and lighting improvements have been done in these schools. The commission will meet with the Parks and Rec Commission regarding savings at the pool. Some members of the Energy Commission went to the PBC walk through of the firehouse #3 to insure energy efficiency is considered at the beginning of this project. The commission has made progress related to clean energy and with the 20% by 2010 campaign; there is possibility of a friendly wager between Cheshire and Bethany; more groups, residents, churches are signing up for this program. There is a 22% CL&P rate increase with no benefit to those who signed up for the clean energy program. Mr. White said CL&P used oil price increases as a large part of the reasoning for this rate hike, and there seems to be an inequity here and it is hoped something will change with this issue.

MOTION by Mr. Ecke; seconded by Mrs. Visconti.

MOVED that the Town Council extend the curfew beyond 11:00 p.m. to the conclusion of business.

VOTE The motion passed unanimously by those present.

Mr. Ecke reported that he attended the CPFA play of “Aladdin” play which was a great production, and the group won a national award for this production.

Mr. Schrumm commented on the Town paying legal counsel to attend hearings on the power line upgrade. This is now a done deal, and he asked if Cheshire is still paying for billable legal hours, and if there will be more billable hours coming.

Attorney Knott responded that counsel has been called off, but there has not been any activity.

Mr. Milone explained that when CL&P files its final upgrade plan, there is a 30-day appeal period, but that won't happen until April, and there could be some activity at that time.

Mr. Schrumm commented that he wonders if part of the surcharges on the electric bills is because this power line upgrade has not been completed. He believes it is time to call off the legal counsel because this upgrade is going forward.

According to Attorney Knott, the Town cannot go forward as part of an appeal without approval of the Town Council.

B. Appointments to Boards and Commissions

13. COUNCIL COMMUNICATIONS

A. Letter to Council

Chairman Hall reported that Town Manager Milone received an inquiry regarding the appointment of a Beachport resident to the Cheshire Housing Authority; and a letter was received from a citizen about becoming a member of the PBC. These letters will be forwarded to the Ordinance Review Committee to be forwarded to the respective town committee chairs.

There was correspondence from Milone & MacBroom with copies to the Council members.

B. Miscellaneous

14. EXECUTIVE SESSION

A. Pending Claims and Litigation

B. Personnel Matters

MOTION by Mr. Ecke; seconded by Mr. Altieri

MOVED that the Town Council enter Executive Session at to include the Town Manager and Town Attorney for all matters.

VOTE The motion passed unanimously by those present.

MOTION by Mr. Schrumm; seconded by Mr. Ecke

MOVED that the Town Council exit Executive Session at 11:26 p.m.

VOTE The motion passed unanimously by those present.

15. ADJOURNMENT

MOTION by Mr. Schrumm; seconded by Mr. Ecke.

MOVED that the Town Council adjourn the meeting at 11:26 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk
Cheshire Town Council