

**MINUTES OF THE CHESHIRE TOWN COUNCIL REGULAR MEETING HELD  
ON TUESDAY, MARCH 14, 2006 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  
Acting Finance Director James Jaskot

**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. Moment of Silence in memory of Police Chief Christopher Louden.**

**B. Public Comments.**

**4. CONSENT CALENDAR.**

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

BE IT RESOLVED, that the Town Council approves Resolution #031406-1.

RESOLUTION #031406-1.  
CONSENT CALENDAR FOR MARCH 14, 2006

BE IT RESOLVED, that the Town Council approves the Consent Calendar for  
March 14, 2006 as follows:

- A. Acceptance and appropriation of a \$500.00 donation from Bozzuto's Sports Charity Classic Inc. to the Police Gift Account for equipment And programs.
- B. Acceptance and appropriation of aggregate donations totaling \$325.00 to the Parks Gift Account for a memorial bench for Jack Mitchell.
- C. Acceptance and appropriation of a \$4,245.00 grant from the State Department of Mental Health and Addiction Services for Youth and Social Services Department substance abuse and awareness programs.

- D. Acceptance and appropriation of a \$1,048 donation from the First Congregational Church to the Cheshire Fuel Bank for heating assistance.
- E. Appropriation of \$500.00 from the Performing and Fine Arts Gift Account for a scholarship to Chase McElligott.
- F. Appropriation of \$325.00 from the Performing and Fine Arts Gift Account for the purchase of a fiberglass cat blank to be used as a Sample for the "Cheshire Cat" program.
- G. Appropriation of \$243.00 from the Performing and Fine Arts Gift Account for the purchase of 4 quartz lamps and extension cords for use in theater classes and products and Artsplace workshops and special events.
- H. Authorization to apply for, and acceptance and appropriation of a \$1000.00 Underage Drinking Prevention: National Town Halls and Reach Out Now National Teach-In grant for Youth and Social Services Department substance abuse and awareness program.
- I. Acceptance and appropriation of a \$526.00 donation from Calcagni Realty to the Library Gift Account for a change sorter and the One Book One Town Program.
- J. Appropriation of \$3,086.75 from the Town Historic Document Preservation Fund for the purchase of locking cabinet units for Storage of vital records.
- K. Authorization to apply for an Assistance to Firefighters grant Of up to \$400,000.00
- L. Acceptance and appropriation of a \$125.00 donation from Mary M. Romanik to the Police Gift Account for equipment and programs.
- M. Acceptance and appropriation of a \$400.00 donation from Calcagni Associates to the Park Gift Fund for summer concerts.

Discussion

Chairman Hall noted the change to item K on the Consent Calendar from the original agenda.

Mr. Schrumm commented that this is a substantive change in terms of dollar amounts and where the money is coming from, and he recommended item K be removed from the Consent Calendar and discussed separately. He said that the backup material did not state what the grant funds would be used for.

The matter was not removed from the Consent Calendar.

Mr. Ecke explained that the fire department would be asking for items not funded in last year's operating budget, i.e. equipment related items. It is not expected that the grant would be \$400,000 to Cheshire.

It was clarified by Mrs. Esty that the correct federal statute is in the Council packet. Also, the town is in the process of applying for a FEMA grant. At this time there are no specifics for the firefighter's grant.

Mr. Orsini stated that if the intent is to restore funding for items, then where is the \$400,000 list of items removed from last year's budget.

It was explained by Town Manager Milone that the fire chief will use the grant to supplement equipment needs cut out of the operating budget, totaling about \$50,000 to \$80,000. In addition in FY 07-08 there is \$100,000 for firefighting equipment; every other year the Council appropriates \$110,000 for firefighting equipment such as helmets, turnout coats, boots, etc. In addition in the five-year capital plan there is \$425,000 for breathing apparatus. Therefore, it will be some aggregation of the equipment not funded in the operating budget and equipment which might be funded, in the future, out of the capital budget. Chief Casner did not have too much time to react to all of this, so an inventory list was not attached to the information to the Council. If the grant is received, Chief Casner will submit his request for the Council to appropriate the money, with details on what the grant money will be used for.

Mrs. Visconti commented on the \$1000 grant received for the March 29<sup>th</sup> Town Hall discussion about underage drinking. The event will be held from 6:30 to 8 p.m. and will include a movie, round table and panel discussions. The public is invited to attend.

In response to a question from Mrs. Esty on what the fire department would be looking for in funding, Mr. Milone said the equipment replacement is \$110,000. In year 5 of the capital plan, there is a \$425,000 appropriation for breathing apparatus, so the expenses could be in excess of \$550,000.

VOTE           The motion passed unanimously by those present.

**5.     ITEMS REMOVED FROM THE CONSENT CALENDAR.**

**6.     OLD BUSINESS**

**7.     NEW BUSINESS**

**Chairman Hall moved agenda item 7E to current status on the agenda.**

- E. Approval of an advance of \$7,000.00 from the Library Gift Account for purchase of computers and upgrades associated with the consortium change, which will be reimbursed by the new consortium in Fall 2006; and acceptance of a loan of \$7,000.00 from the Friends of the Library to the Library Gift Account to cover the cost of these purchases until reimbursement is received.**

MOTION by Mrs. Esty seconded by Mr. Ecke.

BE IT RESOLVED, that the Town Council approves Resolution #031406-5

RESOLUTION #031406-5

WHEREAS, the Cheshire Public Library has migrated to a new consortium, Library Connections, Inc. (LCI), who will reimburse the Town for the computer equipment and upgrades necessary for this migration in late summer 2006, and

WHEREAS, the transition to LCI will begin in May 2006, so purchasing the required equipment and software now will insure a smooth transition, as well as improve computer response time and customer service; waiting until the LCI reimbursement is received to make these purchases would seriously delay the transition, and would leave the Library and its patrons unable to take advantage of the services to which LCI membership allows access, and

WHEREAS, the Friends of the Library have volunteered to advance the money necessary to make said purchases, with the understanding that the Town will reimburse the Friends of the Library when the Town receives the reimbursement from LCI.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council accepts a \$7,000 advance from the Friends of the Library to the Library Gift Account, and appropriates up to \$7,000 from the Library Gift Account for the purchase of computers and upgrades associated with the change to the LCI consortium.

Discussion

Mrs. Esty stated that the Council is being requested to approve a \$7,000 loan from the Friends of the Library to the Library to purchase new equipment necessary for the new consortium. When the LCI gives the reimbursement it will go back to the Friends of the Library account.

Ramona Hartman, Library Director, gave a short presentation on the choice of Library Connections, Inc. (LCI) as the new consortium for the Cheshire Library, She advised that LCI has wonderful operational policies, great software, and is reimbursing Cheshire for its first year fee. The Friends offered the bridge loan to purchase the equipment.

The reimbursement funds for the new equipment will arrive in late summer or early fall, and be refunded to the Friends account. Ms. Hartman emphasized that it is important for the Library to have the new equipment when it joins LCI in May 2006.

Mrs. Visconti asked why this funding did not go through the town rather than the Friends of the Library.

This could have been done, but Ms. Hartman advised it would have gone through two fiscal years.

This was discussed, and Mr. Milone explained that the reason not to go this route was because of the two fiscal years; the grant will probably not arrive until late summer or early fall; but, the equipment is needed before that time. Also, this \$7,000 would create a deficit in the operating budget which would mean the Council would have to transfer money in to cover that over-expenditure on the bottom line which we really don't need to cover. It created a lot of accounting and administrative issues, complicated by the fact that the money would not be received until after the fiscal year. With the Friends group willing to make the loan, it was the simpler way to go forward. The funds must go into the gift account so the Town can purchase the equipment taking advantage of the municipal discounts available.

It is important that this be explained, and Mrs. Esty said the public should know that with this type of move our tax dollars are going farther. The new consortium is cheaper and better than the old one; we are getting reimbursed for the first year's dues (\$7000) which will be put into much needed technology; and generosity of Friends in fronting this money now gets the Library its improved services to the public sooner than later. It allows the Town to take advantage of discounted bulk purchasing. Mrs. Esty commended Ms. Hartman on her hard work in bringing in new technology in ways that are attentive to the budgetary situation.

VOTE           The motion passed unanimously by those present.

Ms. Hartman distributed copies of the Library's Strategic Plan.

Chairman Hall thanked Ms. Hartman for the Library's Strategic Plan, and advised it would go through the Planning Committee, and be on the website.

**A.     Set public hearing for the FY 2006-07 General Fund Operating Budget, Water Pollution Control Department Fund Operating Budget, and Community Pool Fund Operating Budget.**

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

BE IT RESOLVED, that the Town Council approves Resolution #031406-2

RESOLUTION #031406-2

BE IT RESOLVED, that the Town Council will hold a public hearing at 7:00 p.m. on Tuesday, April 4, 2006, in Council Chambers, Town Hall, 84 South Main Street, Cheshire, Connecticut, to consider the proposed General Fund Operating Budget for Fiscal Year 2006-2007, the proposed Water Pollution Control Department Fund Operating Budget for Fiscal Year 2006-2007, and the Community Pool Fund Operating Budget for Fiscal Year 2006-2007.

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

Discussion

Councilors were made aware of the starting time for the public hearing – 7:00 p.m. on April 4, 2006.

VOTE           The motion passed unanimously by those present.

**B.     Discussion and action re: Recommendation to develop RFP for Pool consultant.**

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

BE IT RESOLVED, that the Town Council approves Resolution #031406-3

RESOLUTION #031406-3

BE IT RESOLVED, that the Town Council formally requests the Parks and Recreation Commission to conduct, with staff assistance, a "Request for Proposal" for a Pool Consultant, with the review to include, but not be limited to, evaluation and analysis as identified by the Town Council. The Parks and Recreation Commission will recommend a consultant based on this process, and the Town Council will then make the hiring decision and appropriate the necessary funds.

Discussion

Mr. Altieri stated this has been discussed with the Parks and Rec Commission over the last few months, for the possibility of hiring a consultant through an RFP process. Parks and Rec Commission felt strongly that some of the pool issues need to be addressed.

The letter from Chairman Hall to the Council outlines areas to be looked at regarding the pool – Capital Infrastructure Needs, Operating Issues, Budgetary Issues.

According to Mr. Altieri, the consultant would have a tight schedule, would look at these specific areas, look at options to help improve this wonderful asset of the town, and look to the future of the pool. This is also a small way of instituting an operational review for the community pool. The consultant's report would be available for the public to read and provide feedback to the Council on what should be done at the pool operations, cost and its future.

There is a cost of doing nothing. Next year the pool subsidy will be \$416,600, and this high cost concerns everyone in Cheshire. Mr. Altieri said this concerns everyone, and he hopes the Council members can discuss this proposal and go forward.

Mr. White said something needs to be done to reduce spending, and the proposed budget includes a \$400,000+ subsidy for the pool. The electric costs are \$158,000 more than last year, and much of the \$900,000 pool budget is related to high energy costs during the winter time. All options must be considered at this point, even closing down the pool in the winter time for a few months.

The pool budget is \$955,000, about \$348,000 is for natural gas and electric costs. Mr. Milone noted that the most costly period of time is December through March.

This is an RFP at no cost, and Mr. White said we are waiting to see what is out there for a consultant to assist the town in reducing spending for the pool.

There are concerns about the rising costs of the pool, and Mrs. Esty stated this does not take into account the life span of the bubble which is limited, and this will be another significant capital cost in the future. It is important for the public to be aware that the people in town managing the pool have been working very hard, working out the kinks, maintaining the pool, and doing everything possible while serving the public and make the facility the best it can be. They have done all they can without further assistance. We are not looking at this because of a suggestion of mis-management of the facility; it is really that we need expert help. This summer she visited the West Hartford pool facilities, indoor and outdoor, managed by the town. Without subsidy, pools are hard to operate. The report from the consultant will be shared with the public; choices must be made by the public; people need to know the options and full information on the pool. It is cheaper and better to bring in a consultant at a modest investment when looking at a \$400,000+ subsidy next fiscal year. Expert assistance will save money and get to the hard choices which the public must make.

Mr. Ruocco said he has a problem with a consultant, and paying for a list of ideas. He would like to tell people the consultant's fee is tied to the results achieved for the town, i.e. savings. This is a very sensitive issue, and with this type of language in the proposal he would support it. Some of the pool problems

stem from membership and the nature of the facility. There may be talent in Cheshire to handle these issues. The killer for costs is the energy and natural gas of the structure design, and he does not believe this is within the purview of a consultant on operational issues. Mr. Ruocco would like to see a performance based compensation for the consultant.

In the motion, last line, Mr. Schrumm noted it says..." Town Council will then make the hiring decision and appropriate the necessary funds..." It was suggested by Mr. Schrumm that the motion be amended, and that the word "will" be deleted and the word "may" be inserted in this line. If the Council does not like what the Parks and Rec Commission puts together with RFP specs, and brings it back to the Council, the motion on the floor says there is no question that the Council will hire a consultant. With the word "may" there is more latitude for the Council, and there is more flexibility with this rewording of the last line.

Mr. Altieri said he has no problem with Mr. Schrumm's recommendation. The Parks and Rec Commission understands some of the restraints relative to the dollar figure and keeping within the parameters of what the Council puts out there. Also, the commission understands that the Council can say "no" if it has concerns about what is proposed.

The sentence in the resolution was changed to read: Town Council may then make the hiring decision and appropriate the necessary funds..."

Mr. Schrumm discussed the wording in the resolution..."Request for Proposal" for a Pool Consultant, with the review to include, but not be limited to, evaluation and analysis as identified by the Town Council. He asked what "evaluation and analysis" and if it was the letter from Chairman Hall.

Chairman Hall said that was the evaluation and analysis.

Mr. Schrumm asked if the Parks and Rec Commission must develop an RFP based on I, II and III in the letter.

Mr. Altieri said that was correct.

Mr. Schrumm suggested adding to Section I – take a secondary look at the secondary support structure which is an engineering issue. He noted that this structure was put up in haste and under distress, and an engineer needs to look at this structure. Later in the agenda there is an item on the cost of taking down and putting up the bubble and the support structure. Mr. Schrumm believes there is a better way to do this without incurring the expenses involved.

Also, Mr. Schrumm said the consultant should look at the possibility of leasing or selling the pool facility to a non-profit organization, under Section III – C. Mr.

Schrumm does not believe the pool will ever be self sufficient. In Section C, add D – third party operation/potential to sell or lease the pool facility.

Chairman Hall reviewed the proposed amendments to his letter with Mr. Schrumm and they were included.

Mrs. Esty said the ownership issue should be specified, as well as the cover issues and related costs (i.e. hard cover structure, glass structure, full season). There are budgetary matters and humidity issues to be considered and changes in the usage of the pool facility. All of these should be spelled out clearly and specifically.

Mr. Altieri stated he had no problems with the issues raised by his fellow Council members, and that they were all issues raised at the Parks and Rec Commission meetings.

Mrs. Visconti commented that it is a good idea to reassure people who use the pool that the consultant would have to consider talking to the users to determine how important issues are to the people. The public will have their day to discuss the pool facility with the consultant.

According to Mr. Orsini it is clear on the record that there is an intent to explore the possibility of an RFP and a consultant. However, this resolution says the Council will hire a consultant with the Parks and Rec Commission providing a list and the Council selecting one person. He wants it made clear that the first decision of the Council is whether or not a consultant will be hired. He wants language included in the RFP about the fee based on performance guaranty, based on results. At this point, the cost of the consultant is unknown.

Mrs. Visconti said it was not practical to mandate a performance based recommendation because she envisions many options from the consultant. She does not want the consultant penalized if the town does not go with the least expensive option.

Given the pool subsidy of \$400,000+ for the next fiscal year, Mr. Ecke doubts this pool would have been supported at referendum by the community if taxpayers knew they would have to spend this much money. Going out to review what is going on at the facility, services performed, cost of services, extent of programs, and whether or not they are continued or expanded, may help to reduce the subsidy. The town will get a careful review of the consultant's report, and the Council must sell to the community that it is taking a proactive approach to issues. Mr. Ecke said it is a matter to be addressed now. As for the cost of the consultant, there will not be an open checkbook.

At this point, Mrs. Esty said that Parks and Rec has not begun the RFP, and it is her understanding that a consultant would be about \$20,000, and it would be

hard to tie this cost to results. The consultant cannot tell the town what to do here, but could identify and lay out facts that the town would not want to do. We want someone with a track record and expertise to present a good assessment to the Council and the community.

Mr. Ruocco stated that a consultant hired should be skilled enough to make recommendations on what should be covered along with associated costs. The goal is to reduce the subsidy level, and this should be clearly stated in the proposal, and compensation based on that savings level. Mr. Ruocco asked if the Parks and Rec Commission will draft and sign off on the proposal, and he wants the Council to sign off on the final draft.

According to Mr. Altieri, the Council will work jointly with the Parks and Rec Commission on issues raised at this meeting. The commission's discussions have been positive and feed back is needed from the Council and the commission.

It was noted by Mr. Ruocco that the resolution reads that Parks and Rec Commission will recommend a consultant.

Before a consultant is hired, the Council has a say, and Mr. Altieri said the commission will work in a cooperative effort with the Council.

Town Manager Milone stated that one of the real benefits of an RFP is the flexibility for negotiations once there is someone the Council is comfortable with. There is ample opportunity for the commission and the Council to craft specifics on what should be done. This is how RFPs are handled and approved.

Mr. Altieri commented on the performance and savings as a good suggestion. However, the consultant could come in and suggest a drastic savings which would be objective to people, and this is the problem with connection of savings to the fee.

Mr. White does not want to make any changes to the motion, and wants the Energy Commission involved in the process since they made a motion at their last meeting to get involved with the pool issues. He noted that USA Swimming, a non-profit organization may be willing to get involved in drafting an RFP at no cost. Everything is on the table, and if the pool could be out to bid he would consider it in light of the \$400,000 operating subsidy.

#### Public Comments

Ray Squire, 291 Cook Hill Road, addressed the Council, comparing an emergency room hospital visit to stop the bleeding with the bleeding at the pool. He said the bleeding should be stopped, and the pool should be closed now. \$400,000 subsidy divided by 52 weeks a year is a costly operation.

Councilor Orsini stated that some of his points have been made on controlling expenditures at the pool. The Energy Commission is up to date on what is to be done for energy savings, and he is afraid to hire a consultant to tell the town what it already knows. He would like to hire someone to tell the town what to do with the knowledge it already has. Mr. Orsini noted that the sense of the Council is something, in general, that he could support. But in looking at the language of the motion, it does not reflect the results of conversation. He suggested tabling this item, sending it to a subcommittee for an accurate resolution reflecting the intent of the Council, and that could have a favorable vote. Mr. Orsini said he would abstain because the language does not reflect the discussions held.

Stating he read the motion and did not hear that the Council is hiring a consultant tonight, Mr. Ecke said this a request for a proposal for someone to give an idea of what this would cost. If it is not doable within a reasonable cost, it will not be done. Mr. Milone and staff should put together a proposal, and hopefully, a qualified person will come in at a good cost to help address the situation.

Mrs. Esty agreed that, procedurally, she would like it neater, but with the complicated nature of this RFP, Mr. Milone and his staff will communicate with the Council. Also, Councilors can participate in the meetings to clarify what they want. She wants action tonight, and when something comes back, there can be more detailed conversation on the issues.

In response to Mr. Squire's suggestion to close the pool now, Mrs. Visconti said if the town were a business this could be entertained. A lot of money is being spent and the Council owes it to the taxpayer to be careful with money. The difference is that government is in charge of this; people voted for the pool; many people of all ages use it along with hundreds of kids. We have to look at it more carefully and go forward.

Mr. Schrumm commented that Parks and Rec Commission should not feel bound to one consultant. The purview here is that we might want a marketing type firm to look at how to get more people to sign up; engineering firm to look at a fixed roof, secondary support structure; so, Parks and Rec should have flexibility to do this.

Chairman Hall stated that this is an issue which means a lot to everyone, and it was worth the long discussion. There are problems with the pool, and hiring a consultant is the right thing to do.

VOTE           The motion passed 8-1; Ruocco opposed.

Chairman Hall moved agenda item 7G to current status.

**G. Discussion and action re: Waiver of bid for removal of bubble  
For pool.**

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

BE IT RESOLVED, that the Town Council approves Resolution #031406-7.

RESOLUTION #031406-7

WHEREAS, the Community Pool bubble must be removed in late spring, and

WHEREAS, the Director of Public Works has represented, and the Town Council finds, that it is in the best interest of the Town to utilize the same vendor that has installed and removed the bubble since the opening of the pool, since they are experienced, knowledgeable, and have an excellent working relationship with the Town, and

WHEREAS, this vendor installed the bubble in September 2005, and the additional work to remove the bubble in the spring of 2006 at a cost of \$19,500 will include total fiscal year costs to said vendor that exceed the Town's \$24,000 bid limit for construction services, requiring a waiver of bid to utilize this vendor,

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 the removal of the pool bubble, and

BE IT FURTHER RESOLVED, that the Town Manager or his designee are authorized to contract with said vendor, Hemispheric Air, for said bubble removal project.

Discussion

Joe Michaelangelo, Public Works Director, reported that the town has used Hemispheric Air for installation and removal of the bubble over the pool, and the price has been the same for all work performed to date, \$19,500. Each time the bubble is taken down or installed the job gets easier; town crews have assisted in the work, and observed the procedures which have been videotaped. Other vendors have been contacted, but there is not the comfort level as with Hemispheric Air.

Town Manager Milone said the request is for a waiver but there will be negotiations with the vendor to reduce costs since PW crews are performing more and more of the work. It is hoped that the town crews can do this job on their own in Spring 2007.

It was explained by Mr. Michaelangelo that out of the \$19,500 the contractor spends about one-third on rental equipment in order to do the job, and he uses per diem workers, about 20 at a time for the job.

VOTE           The motion passed unanimously by those present.

**D. Report on denitrification project completion.**

PW Director Michaelangelo and Plant Superintendent Dennis Divert gave a short presentation to the Council on the denitrification project and the denitrification process. Mr. Michaelangelo briefly overviewed the system, advising that the denitrification process went on line February 8, 2006. The construction took one year and there are some additional punch list items to be done. There will be a ribbon-cutting ceremony in 3 or 4 weeks to celebrate the opening of the project.

Cheshire has 150 miles of sanitary sewer lines, and 9 pump stations, all conveyed to the pump station on Cheshire Street. The station was originally constructed in 1971; the last major addition was 1993; and this brought the plant up to the current capacity of 3.5 millions gallons per day. In the mid 1990's DEP conducted a study of Long Island Sound, and found a problem of hypoxia, which is low dissolved oxygen levels. A large part of this was caused by nitrogen which DEP attributed to the waste water treatment plants (79) in the State. If a town was over the limit on the high side, it paid into a credit program; if the town was below it received money for the amount below the limit.

In 2002 there was a meeting with DEP, WPCA and town administrators, and there were a few options – to do nothing and pay for the program; retrofit our system to lower the levels; or construct a facility for removal of nitrogen, and this had the highest capital cost. Cheshire constructed a denitrification system at the treatment plant, and this was the best course to take. The new system provides cleaner water to the Quinnipiac River and Long Island Sound. Also, we got on board at the right time with the \$7 million funding at 30% direct grant, and 70% at a 2% loan. Cheshire has a cost outline for out 20 years into the future, and if it did not construct the plant, the town would be dependent on the nitrogen limits set by DEP and the credit limit DEP set.

Mr. Michaelango reported that the new denitrification process does not change any of the plant operations, does not compromise the high quality of other stages of the operation. Retrofitting the tanks would have diminished the capacity, and capacity is now more critical than ever.

Dennis Divert reviewed the technology issues on how the denitrification process works, and distributed copies of information to the Council. Mr. Divert said that the denitrification process is conversion of nitrates, and before getting to the denitrification process, we had to get to the nitrification process and take the ammonia being discharged into the Sound and rivers, convert it from ammonia to

nitrite to nitrate. Now, the ammonia is taken away, added a nutrient called nitrate, and it was found nitrate was accelerating algae growth in the Sound and rivers causing low D.O. Mr. Divert explained the computer controls, layout of the computers and screens, schematic of the system, use of methanol, how the cells function, reviewed the timeline of the treatment plant from 1971 to 2006, and how towns pay for credits. Cheshire paid about \$125,000 in credits last year, and it is hoped to achieve between \$100,000 to \$110,000 in selling credits, and that could increase once everything is up and running.

The new system has been on line for 3 to 4 weeks, and as the weather warms up there will be more acceleration, and nitrates being reduced. Mr. Divert advised that DEP monitors the cleaner water and D.O. levels in Long Island Sound.

From a budgetary standpoint, Mr. Schrumm said we are certain of \$135,000 not paid for credits; will not have to pay out \$125,000 in credits; and he commended Mr. Michaelangelo, Mr. Divert, and the WPCA for a job well done.

According to Mr. Divert, the DEP has already been at the facility and is pleased with it, and he believes this plant will get statewide attention.

Mrs. Esty said she hopes the town can recoup the credit costs, but if not Cheshire was lucky it did the denitrification early because the DEP funds are no longer available.

Another important element is the WPCD taking the costs of the loan through the WPCA budget. Mr. Milone stated that the town had the foresight to build up the WPCA fund balance so this debt could be absorbed.

**C. Discussion and action re: Fees for Clerk of the Council.**

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

BE IT RESOLVED, that the Town Council approves Resolution #031406-4

**RESOLUTION #031406-4**

BE IT RESOLVED, that in accordance with Section 3-4 of the Town Charter, the Town Council hereby retains Marilyn Milton as Clerk of the Council at the rate of \$45.00 per hour for attendance at meetings and for miscellaneous clerical work, and \$50.00 per hour for meeting attendance after 11:00 p.m., and \$10.00 per page of minutes typed, per the recommendation of the Town Council Personnel Committee, effective March 1, 2006.

Discussion

Mr. Ruocco said this is a good two year contract, and with the hourly rate increase and decrease in the per page rate it has a neutral effect. He also said Mrs. Milton does a good job as Clerk, and she acts as an independent contractor.

Chairman Hall also stated that Mrs. Milton does a good job as Clerk of the Council.

VOTE           The motion passed unanimously by those present.

**F.       Discussion and action re: Amendments to the special appropriation Dollar limits. Charter Section 7-3(j)**

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

BE IT RESOLVED, that the Town Council approves Resolution #031406-6

RESOLUTION #031406-6

BE IT RESOLVED, that the Town Council amends the special appropriation dollar limits in accordance with Section 7-3(j) of the Town Charter as follows:

7-3(C)           Any special appropriation not exceeding **one hundred seventy five thousand dollars (\$175,000)** may be approved by the Council.

(D)           Any special appropriation which exceeds **One hundred seventy five thousand dollars (\$175,000)** but does not exceed **Three hundred fifty thousand dollars (\$350,000)** may be approved by the Council only following a public hearing called by the Council and noticed pursuant to Section 1-5 of this Charter. Notice of the making of such appropriation shall be published once in a newspaper having a substantial circulation in the Town. Such appropriation will be subject to referendum if a petition requesting a referendum, signed by at least ten percent (10%) of the electors, is submitted to the Town Clerk within twenty-one (21) days following publication of notice of the making of such appropriation. The referendum shall be held pursuant to Section 7-3(G) of this Charter no later than forty-five (45) days following the Town Clerk's certification to the Council of the timeliness and completeness of the petition calling for the referendum.

(E)           Any special appropriation which exceeds **three hundred fifty thousand dollars (\$350,000)** may be approved by the Council only following a public hearing called by the Council and noticed pursuant to Section 1-5 of this Charter. Such a special appropriation must be approved by the voters at a referendum held pursuant to Section 7-3(G) of this Charter. The referendum shall be held no later than ninety (90) days following the Council vote to approve the special appropriation.

(F) To the extent any appropriation in excess of **one hundred seventy five thousand dollars (\$175,000)** is to be funded from the proceeds of grants, insurance, gifts, or other off-setting reimbursements, the amount of the appropriation to be funded from such sources may be approved by the Council in the manner provided in Section 7-3(D) of this Charter, and such amount shall not be included in determining whether a referendum is required pursuant to Section 7-3(E) of this Charter. The Council may authorize the transfer of funds from any undesignated fund equity balance, if any, in anticipation of the receipt of said grants, insurance, gifts, or other off-setting reimbursements.

Discussion

This was discussed at the Budget Committee meeting, and Mr. Ecke said that it is revisited every five years per the Town Charter, to set limits for public hearing and referendum items. Mr. Milone figured out the CPI and set the maximum limited per the Charter – Referendum \$350,000; Public Hearing Town Council \$175,000.

Mr. Milone explained to the Council that in reading the Charter, changing limits cannot be done in less than 5 years, and he believes that delaying beyond 5 years would not be inappropriate.

VOTE The motion passed 8-1; Ruocco opposed.

**H. Appropriation of \$12,805.00 from the Senior Citizen Minibus Fund to supplement the purchase of a new van.**

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

BE IT RESOLVED, that the Town Council approves Resolution #031406-8.

RESOLUTION #031406-8

BE IT RESOLVED, that the Town Council appropriates \$12,805 from the Senior Citizen Minibus Fund to supplement the \$35,000 Department of Transportation grant for the purchase of a new senior and disabled van.

Discussion

Mrs. Esty explained that there is a minibus fund through contributions and grants, and the cost of this van was above the grant amount. \$12,805 is needed from the minibus fund, which has a balance of \$21,800. The vans get a great deal of use from the senior citizens, and another grant will be applied for to purchase another van. It is expected that the trade-in for the old van will be between \$2,000 and \$4,000.

VOTE The motion passed unanimously by those present.

**8. TOWN MANAGER'S REPORT AND COMMUNICATIONS.**

**A. Monthly Status Report (in Council packets)**

**B. Monthly Departmental Status Reports (in Council packets)**

**C. Other Reports.**

1. FY '06 Monthly Report – surplus expected to be \$1,560,000 which is higher than anticipated; revenue has been higher particularly with the real estate conveyance tax, investment income and tax collections.
2. Community Pool – utility costs this fiscal year are higher than expected; and the subsidy will increase by \$118,000.
3. WPCA – there is a slight deficit due to the electrical costs over budget, \$50,000 to \$60,000; it is hoped that by the end of the fiscal year this budget will be in balance.
4. Monthly Website Activity – between 2/1 and 2/28 there were 20 most visited pages; 36,350 views; 650 per day; and this analysis will be provided to the Council quarterly.
5. February Snowstorm – Gov. Rell is applying for a disaster relief grant as a result of this major snowstorm; last year Cheshire received \$52,000; to date the snowstorm budget is higher because the storms have come on the weekends.
6. CHS Window Replacement Project – there was a letter from PBC Chairman McKenney regarding this project, and Mr. Michaelangelo clarified this letter via e-mail to the Councilors; \$250,000 cost of window replacement at the high school; PBC has concerns about not having enough funds to do all the windows initially identified for the project; if the project comes in over budget, BOE has indicated there may be some funds in its operating budget for this project. Or, the scope of the project will be reduced. Other windows at CHS are in poor condition but they are not part of this project, and may be included in the capital budget.
7. Personnel Issues – Mr. Milone reported the appointment of Patti-Lynn Ryan, currently Acting Finance Director in Stratford. She came with high recommendations, and will be an excellent addition to the staff. Mr. Milone briefly reviewed Ms. Ryan's professional history and credentials, and noted she begins work on March 27<sup>th</sup>.

8. Police Chief Appointment – Mr. Milone met with the department personnel last week; the Chief’s position will be filled within the next few weeks with an internal candidate.
  9. State Legislative Activity – Mario Panagrosso represented Cheshire at the General Assembly last week to address the town’s concerns about the elimination of the property tax on motor vehicles. Mr. Milone met with some senatorial staff last week as they try to come up with alternatives to the Governor’s proposal, with the hope that the lost revenue gap will be filled. Mr. Milone thinks the elimination of the motor vehicle tax will be a reality, and making the towns whole is a problem which the GA does not know how to do.
- Nutmeg Enterprise Zone – Mr. Milone advised that Chairman Hall visited the State Capital with Reps. Adinolfi and Fritz to marshal resources for the enterprise zone in Cheshire.
  - CCI Surcharge – this bill is being submitted by Rep. Adinolfi and Fritz against the Department of Corrections regarding the surcharge of \$5 per gallon against the correctional facility for every gallon over the allowed maximum per day. The contract calls for 350,000 gallons per day; the facility is averaging +450,000 gallons per day; The 100,000 gallons could translate into \$500,000 in revenue to the town.
  - Post Office Relocation – Mr. Sitko e-mailed information on this matter; the lease has been signed, plans are being developed, and construction will start in the fall. A contract has been signed for the satellite station at 1074 South Main Street, Timberline Office Products location to open next month.
  - Sewer Use – Mr. Milone and staff members met with CCI representatives, and advised that they are trying to do all they can to reduce the per gallon discharge to the treatment plant. A memo was sent identifying what is being done and what will be done to reduce the overflow to the treatment plant. However, we will still go ahead with the legislation on the surcharge, because Mr. Milone does not believe they can get the gallonage down significantly. Also, the surcharge is a safety net if they go over their daily flow.
  - CL&P Tree Trimming – as part of the energy reliability initiative the tree trimming will start soon on Mountain Road, Higgins Road, Peck Lane, West Main Street, Sandbank Road, and Schoolhouse Road.
  - Budget Meetings – March 15, 20, 22, 27, 29; special Council meeting – March 28, 2006 to review the local and state Plan of Conservation and Development. Town Planner Voelker, PW Director Michaelangelo,

WPCA, PCZ and EDC commissions have been invited to this meeting. Mr. Voelker is discussing the plan with the PCZ next week at a special meeting.

- April 6, 2006, Planning Committee meeting to review the revisions to the Strategic Plan.

Mr. Schrumm asked about Cheshire's membership in COST, and noted there is a 9 A.M. public hearing this week on the prevailing wage issue.

Mr. Milone said he met with senate staff last week at the request of CCM and COST.

Regarding the window replacement project at CHS, Mr. Schrumm said we have \$250,000 to spend, and the initial intent was to do the north windows. The question is whether more can be done, and now there may not be enough money.

Mr. Milone said that PBC cannot make the award for this project without coming back to the Council, and there will be clarification once the bids are in.

With regard to the Norton School boiler issue, Mr. Schrumm said this is a capital budget issue to be dealt with in the summer time. He noted that this goes back to getting from the Department of Education and Board of Education the list of all capital projects at each school building in order to have a tally of what has to be done, what money has been spent, etc. The replacement of the boiler is in the five year capital plan, and it must be revisited again.

Mr. Milone reminded the Council that it provided the town side with \$150,000 appropriation 2 years ago for projects related to buildings. \$110,000 is for boilers throughout the buildings. Boiler improvements are being done with resources on hand.

Mr. Milone said he would convey this message to Supt. Florio who knows that the document requested will have to be recreated.

Mr. Milone advised that the Council of Small Towns (COST) is similar to CCM; membership is limited to municipalities of 30,000 or less population; and their primary role is lobbying for municipalities. COST has been good at protecting the STEAP program; Cheshire has a \$500,000 application before the State for the West Main Streetscape; and COST is working on the motor vehicle tax problem as well.

Mrs. Visconti commented on the interesting fact about the website hits, and asked about a feedback suggestion box. She asked for clarification on the living wage issue and noted this Council has not voted to take a position on that issue.

Regarding the BOE planning and budgets, she asked that we make requests of the BOE itself and not skip over them.

Mr. Schrumm advised that he requested the prevailing wage issue be included in the Legislative Package, but it was not included. It is not very controversial, and essentially it raises the limits in Connecticut for towns and cities to do construction projects, raising the dollar amounts, having non-union contractors bidding on the work. In Connecticut, above a certain dollar limit, it must be all union workers, when there could be millions saved if this outdated system was deregulated.

As for the BOE, Mr. Schrumm said he is frustrated with the lack of planning and things coming from the BOE, especially things for the capital budget process. Last year they were asked to refine things so the Council had a better handle on what was coming forward. BOE and DOE need to do a better job, and the Council needs better preparation and insight as to what is coming before it.

## **9. TOWN ATTORNEY'S REPORT AND COMMUNICATIONS**

**No report.**

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

### **A. Chairman's Report**

### **B. Committee Reports.**

Budget – workshops begin March 15<sup>th</sup> 6 P.M. and Mr. Ecke invited the public to attend.

Personnel – no report.

Planning – Mrs. Visconti advised the committee would meet on April 6<sup>th</sup>, 7:30 p.m. to discuss the revisions to the Strategic Plans.

Ordinance – no report.

Audit – no report.

### **C. Miscellaneous**

## **11. APPROVAL OF MINUTES – Regular Meeting of February 14, 2006.**

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

MOVED that the minutes of February 14, 2006 be approved subject to corrections, additions, deletions.

Discussion

Page 5 – change to 501©(3);

Page 15 – change date to March 15<sup>th</sup> (from 25<sup>th</sup>);

Page 17 – para. #6, line 3, should read 100% batting average on grant.; para. #7, line 5 change progressive to “regressive” tax.

Page 10 – add: Town Council will send this matter to the Planning Committee.

Page 4 – rent - \$2400 annually, not monthly

VOTE            The motion passed unanimously by those present.

**12. MISCELLANEOUS AND APPOINTMENTS.**

**A. Liaison Reports.**

Parks and Recreation Commission – Mr. Altieri reported that matters were fully discussed earlier in the meeting.

Youth Services – Mrs. Visconti reported there will be a meeting on March 29<sup>th</sup> about underage drinking.

Environment Commission – Mrs. Visconti reported there was a visit to the dam site.

Library Board – Mrs. Esty reported that during fine free week 55 items were returned with a replacement value of about \$1100.

WPCA – Mrs. Esty reported they will meet later in the month and she will have a further report at the next meeting about the ongoing concerns about capacity issues and re-rating of the treatment plan. Things have slowed down due to illness of the DEP official. The January thaw led to record levels going through the plant.

Human Services Committee – Mr. White reported that there will be a meeting on March 29<sup>th</sup> on underage drinking and alcohol awareness.

It was noted by Mrs. Esty that the grant received by the town is focused on reducing underage drinking and that is the topic of this meeting.

Energy Commission – Mr. White reported there is still an energy competition between Cheshire and Bethany; there is recommendation to the Council for participation in the national program for Energy Star. The heating situation in the schools was a topic at a recent meeting, and the commission works with the schools about these concerns. The two major buildings are Norton and the High School and the Library. The commission is working with the schools facilities manager for ways to resolve boiler issues, and replacement of the boiler is not always the best avenue to take, and there are other options to be considered.

The commission received a symbolic check for \$335,000 from CL&P for the lighting improvement projects.

Beautification Committee – Mrs. Visconti reported that the Home and Garden Show will be held on March 25<sup>th</sup> at the high school.

**B. Appointments to Boards and Commissions.**

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

MOVED that Gerald Devine (D) be appointed to the Cable TV Franchise Advisory Council, to replace Steven Gallagher, term of office current to June 30, 2006; and Otto Strobino (R) to the Public Safety Committee, to replace Marilyn Bartoli, term of office current to January 31, 2008.

VOTE The motion passed unanimously by those present.

**13. COUNCIL COMMUNICATIONS**

**A. Letters to Council.**

**B. Miscellaneous**

**14. EXECUTIVE SESSION**

**A. Pending claims and litigation.**

**B. Personnel Matters.**

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

MOVED that the Council enter executive session at 10:22 p.m. to include Town Manager Milone and Personnel Director Zullo for personnel matters.

VOTE The motion passed unanimously by those present.

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

MOVED to exit executive session at 11:00 p.m.

VOTE The motion passed unanimously by those present.

**15. ADJOURNMENT**

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

MOVED that the Town Council adjourn the meeting of March 14, 2006 at 11:00 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk  
Cheshire Town Council

**C. Miscellaneous**

**11. APPROVAL OF MINUTES – Regular Meeting of February 14, 2006.**

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