

**MINUTES OF THE CHESHIRE TOWN COUNCIL REGULAR MEETING HELD ON TUESDAY, JUNE 13, 2006, IMMEDIATELY FOLLOWING THE 7:30 P.M. PUBLIC HEARINGS IN COUNCIL CHAMBERS, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

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

Absent: Michael Ecke

Town Manager Michael A. Milone

Town Attorney John K. Knott

Joseph Michaelangelo, PW Director

Robert Ceccolini, Parks and Rec Director

**1. ROLL CALL**

Chairman Hall called the meeting to order at 9:55 p.m.

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. Flag Day Proclamation**

Chairman Hall read the Flag Day Proclamation for June 14, 2006 for the Town of Cheshire.

**B. Presentation of Flag by Major Andrew Camp.**

Major Andrew Camp thanked his neighbors and the Cheshire community for the support of his family while he served in Iraq for 15 months, and for the "Care" packages sent to him and his fellow soldiers. Major Camp presented a United States flag which was flown in a U.S. Aircraft over Iraq in November 2004, along with a certificate that states the flag was flown for the Town of Cheshire.

On behalf of the Town of Cheshire, Chairman Hall proudly accepted the American Flag presented by Major Andrew Camp, and thanked him for his service to our country. The flag will be displayed in a prominent area of Town Hall.

Major Camp received a standing ovation from the audience in recognition of his military service to the United States, and for presenting such a significant American Flag to the Town of Cheshire.

**C. Recognition of Walter Kulow, Public Safety Commissioner**

Chairman Hall presented a Certificate of Recognition to Mr. Kulow for his 20+ years of dedicated service to the Town of Cheshire as a Public Safety Commissioner and Chairman of the Public Safety Commission.

Council members personally thanked Mr. Kulow for his service to the community.

Mr. Kulow said it was a pleasure to serve the Town of Cheshire, and to write the articles on public safety for the newspaper. He has resigned as Chairman of the Public Safety Commission but will continue as a commission member.

**D. Recognition of Eagle Scout Rob McAviney  
Tabled to June 27<sup>th</sup> meeting**

**E. Proclamation for Alcohol Awareness Week.**

Mr. White read the proclamation for Alcohol Awareness Week – June 18 to 24 - for the Town of Cheshire.

**F. Public Comments**

Lauren Korman, 400 Spruce Street, addressed the council about the barite mines and the sink hole in her neighbor's property which is about 12 ft. wide and 37.8 ft. deep. She said this is now a legal issue in Town, and affects every neighborhood impacted by the mines and the entire town. Ms. Korman said we must work together and people need support for this big problem. The property with the hole must be repaired safely or be condemned, and this greatly affects the neighborhood. She said the Town needs to think about what will be done if there is this danger on this property; will the hole be filled or fenced in; and all this must be considered. She said the Town can go to the State because Cheshire has the deepest and most extensive mines in the State. The State must be convinced that Cheshire is different, and should get help from the State and federal governments through FEMA funds. Ms. Korman asked the Council to work with people on this problem. This matter has been discussed in executive session by the Council, behind closed doors, and people want to be part of the discussions because it affects them. People want to attend meetings, be included, and get help from the Town.

Mark Korman, 400 Spruce Street, commented on the Council going into executive session on this matter. He said that under FOI there are specific requirements enabling the Council to enter executive session and limiting what can be discussed. He asked about Baker vs. Town of Cheshire and if Mr. Baker has provided the Town with written notice of intent to sue, which would be a pending claim.

Attorney Knott said it is the other way around, it is the Town of Cheshire vs. Baker.

According to Mr. Korman another FOI limitation is discussion on the legal issues of the topic, and if other aspects of the mine are learned about – how it affects roadways, how to proceed with other properties, etc. this could be outside executive session. Mr. Korman requested that this matter be an open item on the agenda, not in executive session, i.e. if a geologist gave advice about the mine system. Also, Mr. Korman asked that he be part of the executive session of the Council tonight.

Chairman Hall said he would discuss this with Attorney Knott, but with Mr. Korman not a party to the potential claim, he could not support that request.

If there is general discussion and coming to consensus about actions affecting beyond the borders of the subject property, Mr. Korman said that should be done in public session. If he is denied access he wants it in the public record.

Chairman Hall said he would not characterize it as denying access, but he would not invite Mr. Korman into executive session because the executive session would be limited to the parties involved in the suit. Also, the issue will not be concluded tonight.

Maxim Kosover, 430 Sheriden Drive, said he was disappointed in the Council and its actions regarding the barite mine issue. He said the issue has been known and the Town allowed properties to be built on mine diggings. When he purchased his property he was not aware that it was adjacent to any mines. He has young kids, and there are sink holes on his neighbor's property, and there is a big problem of the adits running everywhere without maps of them. He asked for the Council to show support for allocation of funds to bring in equipment and research the problem. Mr. Kosover also expressed concern about the safety issues involved with this problem and as a taxpayer wants action items on this issue.

Jen Roeder, 330 Chestnut Street, said she was a neighbor living near the house with the sink hole which opened up quickly, 38 feet down. She said there are over 100 kids in the neighborhood; other neighbors have mines; and the Council is requested to help the community. The problem is affecting real estate values, people are hesitant to buy houses in this area, and it is important to consider the safety of the people living in Cheshire.

Bosha Gordon, 375 Chestnut Street, attended the meeting in support of the community she lives in because of the family that has the sink hole. This affects everyone and she asked for the Council's support at open meetings. Ms. Gordon said she realizes there is a legal implication and this family has a set date in which they have make a decision on what to do. She asked that the date be an open date, not a closed date, because this family has a community behind it for support. This is a public matter not a private one.

Craig Ugrin, 390 Sheriden Drive, spoke about the issue of safety, stating there are streets, sidewalks, and concerns about the Town dealing with the safety issue as a whole. He asked if this is being considered by the Council, and if not, why not.

Chairman Hall stated that the Town Council has safety concerns with every issue in Town, and this is being discussed by the Council relative to this neighborhood.

Randy Below, 340 Chestnut Street, brought to the attention of the Council that he has 3 active young children who play outdoors, and he has concerns about the potential issue. There is a need to understand what the issue is, and there should be consideration of forming a commission to deal with this issue and the extent of the problem. Other communities have similar issues and deal with them through the State and Federal government and local community. There is a long history of mines going back 150 years, and the issue must be dealt with and not ignored.

Derf Kleist, 251 Lancaster Way, suggested that the ledge from the I-84 construction be used to fill in the holes.

#### **4. CONSENT CALENDAR**

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-1

#### RESOLUTION #061306-1 CONSENT CALENDAR FOR JUNE 13, 2006

BE IT RESOLVED, that the Town Council approves the Consent Calendar for June 13, 2006 as follows:

- A. Be it resolved that it is in the best interests of the Town of Cheshire to enter into contracts with the Department of Environmental Protection. In furtherance of this resolution, Michael A. Milone, the Town Manager, is duly authorized to enter into and sign said contracts on behalf of the Town of Cheshire. The Town Manager is further authorized to provide such additional information and execute such other documents as may be required by the state or federal government in connection with said contracts and to execute any amendments, recisions, and revisions thereto.
- B. Acceptance and appropriation of \$7,359.72 in Connecticard funds for general library purposes.
- C. Acceptance and appropriation of a \$500.00 donation from the

Cheshire Newcomers to be used for supplies and program materials  
For the Yellow House.

- D. Acceptance and appropriation of a \$250.00 donation from Sandra Landolina DBA Land Graphics to the Library Gift Account for the purchase of memorial children's books.
- E. Acceptance and appropriation of an anonymous cash donation of \$100.00 to the Police Gift Account.
- F. Acceptance and appropriation of a \$70.00 donation from Hyun Joo Jung to the Cheshire Performing and Fine Arts Gift Account for the general purposes.

(G removed)

- H. Acceptance and appropriation of a \$500.00 donation from Cheshire Newcomers Club to the Police Gift Account for program materials.

VOTE            The motion passed unanimously by those present.

**5.    ITEMS REMOVED FROM CONSENT CALENDAR**

- G. Authorization to execute fiber optic communications network agreements for the Cheshire Public Schools with Fibertech Networks due to indemnification clauses.

BE IT RESOLVED, that the Town Council approves Resolution #061306-1A

RESOLUTION #061306-1A

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

MOVED to accept Consent Calendar Item G.

Discussion

Mr. Milone explained that this is on the agenda because of the indemnification clause, and under the Town Charter, must come before the Council for approval.

VOTE            The motion passed unanimously by those present.

**6.    OLD BUSINESS**

**7.    NEW BUSINESS**

**A. Discussion and action re: Special appropriation for pre-funding from the FY 05-06 General Fund Operating Budget projected surplus.**

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-15

**RESOLUTION #061306-15**

BE IT RESOLVED, that the Town Council amends the total appropriation for the FY 05-06 General Fund Operating Budget from \$83,968,273 to \$84,374,465. The revenue to support this increase will come from increasing the Pequot/Mohegan Grant appropriation from \$1,268,292 to \$1,674,484.

VOTE The motion passed unanimously by those present.

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-2

**RESOLUTION #061306-2**

BE IT RESOLVED, that the Town Council authorizes a special appropriation of \$261,182 from the FY 05-06 General Fund Operating Budget projected surplus to the Debt Service Reserve Fund.

VOTE The motion passed unanimously by those present.

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-3

**RESOLUTION #061306-3**

BE IT RESOLVED, that the Town Council authorizes a special appropriation of \$145,000 from the FY 05-06 General Fund Operating Budget projected surplus to the Heart and Hypertension Reserve Fund.

VOTE The motion passed unanimously by those present.

**B. Discussion and action re: An increase in the total appropriation for The Community Pool FY 05-06 Operating Budget.**

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-4

RESOLUTION #061306-4

WHEREAS, in order to balance the FY 05-06 Community Pool Operating Budget as required, the total appropriation for said budget must be increased,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council increases the FY 05-06 Community Pool Operating Budget appropriation from \$779,819 to \$945,711, and

BE IT FURTHER RESOLVED, that the Town Council approves a transfer of \$233,542 from the Parks and Recreation FY 05-06 General Fund Operating Budget to the Community Pool FY 05-06 Operating Budget.

Discussion

Mrs. Esty commented on the high emotion and interest in the community pool, but said the issue is a narrower one. The Council closes out the books on June 30, 2006. The Town must pay bills. And, the only responsible course of action is for the Council to pass this resolution, and pay the bills. The Council will be hiring a consultant to advise the Town on how best to move forward with the community pool. After the consultant submits the report to the Town, there will be a public forum on the issues surrounding the pool.

Mr. White said he would support the motion, but the pool was sold as being self-sufficient. Costs are too much with the rising energy costs. The responsible thing to do is appropriate the money and pay the bills.

Mr. Altieri thanked everyone who attended the Council meeting, and he will support the motion for the pool appropriation. To the high school students, he expressed pride in their coming forward and speaking on an issue of importance to them. Mr. Altieri believes the community can come together for this pool, a wonderful asset to the Town. He agreed that the money put into the pool each year is of great concern to the community, and even pool supporters are concerned about this fact. The Town can get together, solve the problem, and support this wonderful asset with continuance of all the great programs at the pool.

Mrs. Visconti thanked everyone for attending this meeting and stating their comments. She will support the resolution on the floor for the pool. She said the barite mines are another issue for the community to work on together.

Mr. Orsini said he would vote in favor of the resolution for the pool. However, he said he is not sure why this became such an issue – that the Council was shutting down the pool. Mr. Orsini said the Council and Town is not even close to making a decision on whether the bubble goes back up or not, whether a

permanent structure is put on the pool, etc. Also, Mr. Orsini has trouble with comparing the pool usage to the library and senior center because these facilities and usage are not in the same category. The library and senior center are community services funded by the taxpayers; the pool was sold at referendum with the understanding it would have operating revenue to offset operating expenses. At this time, we are not there yet, but this pool has only been operating for 3 years, and the best years are yet to come. Mr. Orsini does not want to divide the community and believes the pool will have a long future in Cheshire.

Mr. Orsini thanked Mr. Piccolino who said there are people willing to volunteer time and expertise to work with the Town to make the pool a greater asset to the community.

Mr. Ruocco stated that this appropriation is for the payment of bills that have been incurred. The Town is confronted with the possibility of hiring a consultant. He believes money can be saved and a group formed with people in the chambers who could help resolve the problems.

It was stated by Mr. Schrumm that the pool was designed to be self-sustaining. The issue being discussed tonight is a budgetary issue, because one year ago, no one foresaw the huge increases in energy we are faced with today. He was pleased that so many people came out in support of the community pool because this is a good counter balance to the negativity that has been sold about the pool. For the young people, this is a lesson about something you value can sometimes be derided in the press. Mr. Schrumm stated that the pool is an asset to the community, but not everyone uses the pool. In time, more and more people will be using the pool over time; we will get a handle on the energy costs; but it is uncertain if the pool will ever be self-sustaining.

As for the rumor about the Council considering closing the pool, Mr. Schrumm said he is not sure where it started, but it was never a serious consideration of this Town Council. He also doubts it will happen in the future as long as the pool supporters are vigilant and continue to tell stories about this very nice facility.

Chairman Hall expressed thanks and made a special note of appreciation to Parks and Rec Director Ceccolini, and Sheila Adams, Pool Coordinator, for the good job they do in providing fine services to the people of Cheshire.

Mr. Hall said he believes volunteers for the study of the pool could work with the consultant on the evaluation of the facility and how the Town can move forward with the pool.

VOTE            The motion passed unanimously by those present.

**C.     Discussion and action re: The 2006 Neighborhood Assistance Act**

**Program submissions.**

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-5

RESOLUTION #061306-5

BE IT RESOLVED, that the Town Council approves the submissions for the 2006 Neighborhood Assistance Act Program from Elim Park for Elim Park Resident Benevolence Fund, Performing Arts Center and Wellness Center, and Turning Point Christian Center Expanding Recovery Housing and Calvary Life Expansion Project, as presented and attached.

Discussion

Mrs. Esty stated that as a matter of law, the Council supports this grant application for wonderful projects being proposed. They will improve the quality of life in Town, and can only be sponsored by non-profit organizations. They must be approved by the Council in order for these organizations to request state funding.

VOTE           The motion passed unanimously by those present.

**D.     Discussion and action re: Appointment of auditor for FY 05-06**

MOTION by Mr. White; seconded by Mr. Altieri.

BE IT RESOLVED, that the Town Council approves Resolution #061306-6

RESOLUTION #061306-6

BE IT RESOLVED, that the Town of Cheshire appoints McGladrey & Pullen, LLP as the auditor for the Town of Cheshire for FY 2005-2006.

Discussion

Mr. White stated it makes good sense to stay with an auditing firm for 3 years, and this is reappointment of McGladrey & Pullen, LLP for another year of a 3 year agreement.

VOTE           The motion passed unanimously by those present.

**E.     Discussion and action re: Transfer of uncollectible taxes to the Suspense Tax List.**

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-7

RESOLUTION #061306-7

BE IT RESOLVED, that the Town of Cheshire approves the transfer of uncollectible taxes as presented and attached, to the Suspense Tax Book.

Discussion

Mr. Milone explained that by statute the Town must suspend those taxes which are uncollectible. It is important to know that these taxes are still collectible through a collection agency.

VOTE           The motion passed unanimously by those present.

**F.     Discussion and action re: FY 06-07 budget personnel revisions –  
Job descriptions/Job grades.**

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-8

RESOLUTION #061306-8

WHEREAS, the several personnel revisions to job grades and job descriptions were approved as part of the FY 06-07 adopted General Operating Budget,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council approves the corresponding amendments to the job descriptions and job grades for the following positions, as presented and attached, effective July 1, 2006:

Budget/Treasury Analyst  
Middle School Program Coordinator  
Deputy Treasurer  
Information Technology (IT) Network Administrator  
Town Planner/Development Coordinator

Discussion

Mr. Alteiri explained that these are revisions to positions to different groups.

Mr. Ruocco stated his support of these changes in committee, but one of the problems or challenges of every municipality is the cost of labor. We must compensate our employees fairly. He has concerns about a position creep where a job starts out small and gets bigger in a few years. This should be watched closely and should be properly monitored.

Mrs. Visconti commented on past discussion about operational review, and this is almost going at that, looking carefully at positions and what is being done. She asked for clarification on this item.

It was explained by Mr. Milone that a classification study was done about 9 years ago by a professional evaluator on the non-union positions. This person was to determine whether the job descriptions were appropriate, whether salary classifications were appropriate, based on duties and responsibilities. There was an excellent report submitted which was helpful to the Town in upgrading positions. Since that time, a personnel director was hired, and one of the major charges for Mr. Zullo is to replace the role of this consultant, and continue to do the evaluation of positions on an ongoing basis. He revisits all the jobs, makes sure descriptions are compatible with the duties, and if not, come to the Council with revisions to the job descriptions. More importantly, the pay grade minimum and maximum must be compatible with what is going on in the municipal industry.

Personnel Director Zullo reported that one new position is the part-time middle school coordinator for the Yellow House programs. The two positions in the Finance Department were not creep as much as the reorganization of the department and changes in how it is run. The deputy treasurer position was a bookkeeper's job 5 years ago, but there is now a significant amount of investment of Town funds with increased revenue coming to the Town. The budget treasury analyst has become a support person on the personnel and budget side. The IT Network Administrator position is a complete re-write due to changes to reflect the position in 2006.

The Town Council already approved these job description changes in April, and Mr. Zullo said now there is language supporting the upgrades.

Mr. Altieri commented that it is important to understand that as the Personnel Committee went through these positions, they were carefully looked at with the focus on responsibility, and salaries must be competitive with the private sector. The end result is fair and honest.

According to Mrs. Esty there was extensive discussion in committee about these job descriptions and changes. The Town has a very professional staff, and she supports a strong professional staff. She said we must pay people what they are worth and have them perform. There has been benefit in the Finance Department which is attributable to the strong financial position of the Town. Mrs. Esty said we must pay at a level to get the kind of skill and talent we want. The Council and community must be vigilant about insuring that people in these responsible positions are setting a high bar for performance and performing to those standards.

VOTE            The motion passed unanimously by those present.

**G. Discussion and action re: Personnel Position Classifications**

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-9

RESOLUTION #061306-9

BE IT RESOLVED, that the Town Council approves the assignments of or amendments to personnel classifications for the following positions, as presented and attached, effective July 1, 2006.

Personnel Director/Assistant Town Manager  
Town Planner/Developmental Coordinator  
Director of Parks and Recreation  
Information Technology Network Administrator  
Deputy Town Treasurer  
Budget/Treasury Analyst  
Director, Arts Place  
WAN Assistant  
Adaptive Recreation Coordinator  
Deputy Registrar of Voters  
Program Supervisor  
MS Program Coordinator  
Assistant Registrar of Voters  
Clerk-typist-Fire Department  
Summer Laborers  
Program Assistants  
Dispatcher - Senior Center  
Part-time Van Drivers  
Camp Counselors  
Desk Attendants  
Lifeguards  
Part-time Laborers  
Crossing Guards  
Building Supervisors  
Library Pages  
Mail Clerk

Discussion

Mr. Zullo informed the Council about the annual review of E (exempt) and N (non-exempt) positions. Changes were made in the job grades for those positions shown on the listing. Over the years, some jobs did not fit into E or N categories, and these are referred to as NA (non-applicable). This year the

Town created TPT (temporary and part-time) jobs which were previously noted as NA positions.

With this resolution, the Council is changing job grades, but compensation remains within the minimum and maximum ranges.

VOTE           The motion passed unanimously by those present.

**H.     Discussion and action re: Pay Plan Annual Amendment**

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-10

RESOLUTION #061306-10

BE IT RESOLVED, that the Town Council approves the salary range adjustments for non-union Town employees as presented and attached, effective July 1, 2006.

Discussion

Mr. Zullo reported that annually by the Rules and Regulations, the Town Manager visits the E and N pay plans and the library pay plan. The library will soon have a union with a union pay plan in place. In looking at the library pay plan attached to the minutes, this is a non-union plan. The increase in the pay plan is 3.25% for minimum and maximum levels.

Mr. Milone advised that the minimum and maximum consideration is consistent with inflation or the average increase. The pay classifications reflect what is going on in the industry. The minimums are increased to keep the jobs attractive; the maximums are increased so every employee can get a raise. The average increase was 3.25%.

VOTE           The motion passed unanimously by those present.

**I.     Discussion and action re: bid waiver for lighting improvement project at Dodd Middle School and three Town firehouses.**

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-11

RESOLUTION #061306-11

WHEREAS, the Energy Commission has recommended an expansion of the lighting improvement project to include Dodd Middle School and the three Town firehouses, and

WHEREAS, funds are available from the original project grant and appropriation to cover the costs of this expansion, and this project can be performed under the Energy Opportunities program, and

WHEREAS, the Energy Commission is satisfied with Practical Energy Solutions (PES) and represents that it is in the best interest of the Town to use PES for this portion of the project, and

WHEREAS, PES is prequalified by CL&P to perform such work under the Municipal Conservation Program, there are not prequalified vendors under the Energy Opportunities Program, so the Council must waive the bid process to hire PES to proceed with this work, and

WHEREAS, the Council finds it is in the best interests of the Town to waive the bid process for this project,

NOW, THEREFORE, BE IT RESOVLED, That the Town Council, pursuant to Section 7-8(c)(11) of the Town Charter, approves a waiver of bid for the lighting improvement project at Dodd Middle School and the three Town firehouses and authorizes the Town Manager or his designee to hire Practical Energy Solutions for such project.

#### Discussion

Chairman Hall recognized Jerry Sitko, Development Coordinator, and Richard Ogurick, Energy Commission Chairman, for presentation of information on this resolution.

Richard Ogurick, Chairman of the Energy Commission, explained that this is a recommendation to the Council to waive the competitive bid requirements on behalf of PES. Cheshire has undertaken a lighting cost reduction program; 10 buildings have been included in the program over 3 phases. The total savings is \$100,000+ annually. The 10 buildings done so far were done under the municipal program offered by the Connecticut Clean Energy Fund administered by CL&P for Cheshire. The resolution is for a waiver for PES to do this lighting project work for Dodd Middle School.

The Town wants to continue the program with phase #4, and Dodd Middle School and 3 firehouses are identified for this phase with additional savings of about \$25,000 annually.

Also, Mr. Ogurick advised that the resolution requires authorization for only the middle school. The 3 fire stations can be done under a program called the Small

Business Energy Advantage Program, and PES is one of the pre-qualified contractors for this program. PES is ready to go to work and has done a preliminary study with the economics and cost savings.

Therefore, the waiver is for the middle school project. It is not necessary to waive a bid for the fire stations because PES is a pre-qualified vendor for the program under which the stations fall. Mr. Ogurick said the Small Business Energy Advantage Program is being offered to municipalities for smaller buildings like the fire stations. Dodd Middle School is too large a building for this program. PES will do some project work at the middle school as it did with the other schools.

Mrs. Visconti asked about an opportunity such as this for the pool lighting.

In response, Mr. Ogurick said this lighting is specialized and does not offer the opportunity for this program. This lighting is designed to be light weight and removable when the bubble comes down. With a rigid structure, lighting costs could be reduced, and a pool cover would also reduce heating costs.

With regard to the \$100,000 savings, Mr. Schrumm asked whether this is the full annual impact looking at energy use, current rates, etc.

\$100,000 is the computed savings, and Mr. Ogurick said it is based on knowledge of reduction in energy usage. The actual amount is about \$150,000 in savings.

Mr. Schrumm asked when we will see the real difference in the bill, not the computed difference, but the real savings.

Mr. Ogurick said we already have detected the kilo watt hours savings but this does not necessarily translate into dollar savings because the cost per kilo watt hour has increased. There are other variables such as weather, changes in building occupancy, increased use of computer equipment, etc. which could tend to offset the reduction.

Overall, the usage of a given building should go down, and Mr. Schrumm said this is assuming there is no major change in use. He asked about the work at Dodd, noting that PES has done a good job and pricing.

Mr. Ogurick said the pricing would be on the same basis as the other projects. The Dodd project is not eligible for financing, whereas the other 10 buildings took advantage of zero interest rate financing. The fire stations are eligible for this financing also. This does not affect the savings, but the cash flow.

Mrs. Esty thanked the Energy Commission for its hard work which is indicative of the savings to the community by the hard work of volunteers. She urged the

commission to keep in mind the capital budget projects, making possible further economies on use of energy. The payback period is getting shorter and shorter with the rising cost of energy.

VOTE The motion passed unanimously by those present.

**J. Discussion and action re: Approval of allocation from the Capital Planning Account for ballfields consultant.**

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

BE IT RESOLVED, that the Town Council approves Resolution #061306-12

RESOLUTION #061306-12

BE IT RESOLVED, that the Town Council authorizes an allocation of \$9,000 from the Capital Planning Account for design services for proposed softball fields on Highland Avenue, and

BE IT FURTHER RESOLVED, that, pursuant to Resolution #091200-10, the Town Council directs the Town Manager or his designee to contract with Milone & MacBroom for said design work.

Discussion

Mr. Altieri explained that anytime you can spend a little money to cost out a field it is well spent. Sometimes people come to a facility, throw out numbers for the cost of the field, without taking into account top soil, clay, irrigation, drainage, fences, parking, buildings, lights, etc. Mr. Altieri prefers using the best possible materials for a ball field project because it saves money in the long run. It is important to understand that if the Town wants tight budget numbers, there is a need for someone to review the field in detail and look over all the items needed. This particular incident is a field that starts from scratch, and this is the most costly way to build a field.

Town Manager Milone commented on the need for a consultant on board now for a fair number for this capital budget, and he does not want a referendum without definite numbers.

PW Director Michaelangelo informed the Council that there was a plan done for the Jarvis Street and Marion Road property, and it was in the capital budget last year. For this property we need this first phase done to tell the Council and voters the exact dollar amount to be approved. Without spending the \$9,000 on the plans, there would be no idea what the fields would look like. The consultant would be reporting back with a visual idea of how the fields will look and associated costs.

Another important thing is that there will be choices, and Mr. Milone said we are unsure if all 10 acres will be developed because of costs involved.

Mr. Ruocco expressed concerns about hiring a consultant. This issue relates to the problems at MacNamara Park, and it is believed that additional fields will alleviate some of the traffic with creation of some youth ball parks at Bartlem or Cheshire Parks. Mr. Ruocco said he was not against new fields, but is unsure of this location because of the slopes. In talking to people, other locations were mentioned such as State owned property near Trackside Business Park, with a land swap. Mr. Ruocco wants to make sure things are done right and there are options available, with other properties identified. He expects the Route 10 location will be costly and is not sure it is the right location.

According to Mr. Milone, people have asked about a land swap with other properties. In speaking with Rep. Fritz she is not very encouraging about the prospect of that happening quickly. Mr. Milone reported that every dealing with the State in the last year has been fruitless and discouraging and endless. Now, to open up a land swap with the prison, which has a huge problem with the treatment plant, would not be done quickly, and would take many years. There might be better locations, but trying to effectuate some kind of arrangement to change land will be a difficult undertaking, even if the State is willing to talk about it. Mr. Milone stated that this land was given to the Town because the State did not want it, and the property mentioned as a swap is an area mentioned as a possible parking area when the trail is extended.

Mr. White asked if this project could be done in-house in the next year.

In response, Mr. Milone said that there is so much on the plate for PW Director Michaelangelo at this time, that it is not fair to him and his staff to take on more. The department is doing 3 years worth of construction work in a year, and to ask them to take on this project is stretching beyond the point of being able to address things timely and effectively.

PW Director Michaelangelo noted that Milone & MacBroom will not put civil engineers on this project, but they do have the benefit of the landscape architect getting involved in the playing fields. Fields can be built at the site on Route 10; there is a slope; but there can be 2 flat, viable, modified softball fields; and the estimate submitted is \$2 million. This cost is on the high side. One of the goals of the consultant is for a conceptual plan to be given to the Town, and to give a good number within 5% to 10% of the cost of the field.

It was stated by Mr. White that \$2 million for ball fields will not pass at referendum, and he will not support this resolution because he does not see the need to rush into it.

Mrs. Esty stated that good numbers and plans are needed to make an informed and intelligent decision as a Council and community. Many people have raised concerns about congestion at the fields and in the neighborhoods. Given that, the Council has an obligation to explore the investment of funds from the capital planning budget to get fairly hard numbers. It would be a mistake to try to do this on the back of an envelope. The Council owes this to the taxpayers to get the numbers now, go forward without putting this out one more year. It will take time to develop these fields, and putting it off another year will result in 3 years before the fields are ready.

Mr. Altieri stated that whether fields are built at this site will be the function of what the consultant and field architects report. What they report will guide the Town in going forward with the project. If they come back with high numbers to do all that must be done for construction of the ball fields, then the Council must look at them. The most important thing is to do the field right the first time. Mr. Altieri considers the money spent for the consultant as well spent because options will be given to go forward with a field that will not be costly in the future because it was done right the first time.

Mr. Schrumm said that the first question is where this project is on the hierarchy of needs. He is unconvinced that anymore money should be spent on fields until other things are done, including the 3<sup>rd</sup> field at Bartlem Park. With the piece of land on Route 10, Mr. Schrumm said we do not have to hire a consultant to know that much dirt must be removed from this location, and by the time lights, parking, etc. are in, we are talking about a significant amount of money. He commented on fields being across from each other and people running back and forth across Route 10 to see kids play. He is not convinced the location is a good place to develop any kind of recreation facility, other than a privately owned, operated, and funded hockey rink. There are other issues to be addressed, but every spring there is the issue of pressures on the ball fields because of so many people playing sports and weather issues. Mr. Schrumm does not believe that scheduling options, use of all school fields, have been addressed. He would prefer spending recreation funds on expansion of the Linear Trail rather than ball fields. The time span between now and July 11<sup>th</sup> (RFP response date) is short to provide a cost estimate.

Mr. Orsini clarified that this resolution is talking about a piece of land across from Cheshire Park on Route 10 to be used for recreational purposes. The initial purpose of this land was to attract a private developer to build a private rink. This is a good location for some recreational purpose without neighborhood concerns about lights and other issues. There are major issues at MacNamara Field right now, and people might position this as possibly relieving the pressure from use of these fields. This is a resolution for softball fields, and since MacNamara Park is baseball fields, how do these proposed softball fields relieve pressure.

Parks and Rec Director Ceccolini responded by informing the Council that the plan would be to drop the number of fields in use at MacNamara down to 3. The Town uses 2 fields at Gaylord Hospital, and this is the last year for the Town to use these fields. If softball fields are built on Jarvis Street, then adult softball would be moved to this new complex, and off the Cheshire Park and school fields. The kids would have full use of the ball fields at the high school, Doolittle, and middle field at Cheshire Park. This, combined with the last field at Bartlem Park, would alleviate the pressure. One field at MacNamara would not be used.

Mr. Orsini requested the scope of this project compared to the Casertano property.

In reply, Mr. Ceccolini said that at the Casertano property there were 4 multi-use fields proposed, basketball, tennis, playground area, parking, and it would have been a full service park with an estimated cost of \$1.4 million. The Jarvis Street proposal is 2 fields with lights, estimated at \$200,000 per acre, and some of the companies interviewed gave a range of \$800,000 to \$1.5 million.

Mr. Hall commented on his concerns about kids crossing the State highways. He asked Mr. Ceccolini say this would be minimized because the fields at Jarvis Street would be adult fields. He also asked about scheduling options being looked at to relieve the pressure on field use.

Mr. Ceccolini responded that the site is being looked at as adult fields; there could be tournaments scheduled there; but this is not a normal Cheshire game where kids would cross the highway. With an 8 week season, he said that taking the 4<sup>th</sup> game off MacNamara was done, but with the rainy spring, the plan was not doable. With every field in Town in use, there are few nights when you will see an empty field.

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

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

VOTE           The motion passed unanimously by those present.

In response to a question about the prospect of a hockey rink on the site, Mr. Ceccolini said that he has not heard anything in 6 years about an ice rink proposal for the Jarvis Street property.

There is an immediate field crunch in Town, and Mr. Hall said that this is of concern to the community. This is not the most immediate or pressing concern, and should be addressed. Spending \$9,000 for an accurate cost estimate will provide a reliable cost for the project from a reliable firm.

Mr. Schrumm asked who looked at the field and said the cost would be \$200,000 per acre.

A number of engineering type companies looked at the site and Mr. Michaelangelo said that this was the rough number of what the costs would be to develop an acre of land.

With regard to the plans for the Casertano property, Mr. Schrumm said they had a field superimposed, but the leveling of the land, topography, etc. were not taken into account. He assumes that this would be done with the Jarvis Street property, with a hope that something better would be presented for review. Mr. Schrumm also asked about a future land acquisition adjacent to Bartlem Park.

This has been discussed with the property owner in an informal way, but Mr. Michaelangelo said nothing has come forward on this.

According to Mr. Milone, the Town has made it clear to the property owner that if there is a time and willingness to sell this land, the Town will listen.

VOTE            In Favor – 6; Orsini, Ruocco, Esty, Visconti, Altieri, Hall.  
                      Opposed – 2; Schrumm and White.  
                      The motion passed 6-2.

**K.     Discussion and action re: Land management plans on the DeDominicis and Dime Savings Bank Properties.  
Tabled to June 27, 2006 Town Council meeting.**

**L.     Discussion and action re: Approval of dispatcher's collective bargaining agreement; possible executive session.**

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

**A.     Monthly Status Report.**

**B.     Departmental Status Reports**

**C.     Other Reports.**

- FY 06 Monthly Report - Mr. Milone reported a \$1.8 million surplus.
- STEAP Grant – the Town received a \$500,000 grant for the West Main Street Scape improvements, and this money must be incorporated into the capital budget.

- Linear Trail Improvements – some work will be done on the trail, replenishing crushed stone, repairing cracks with sealant, and Boy Scouts will provide labor with the Town providing the supplies.
- Road Reconstruction Improvements – plans are to do Harrison, Wiese, two parts of Peck Land and possibly Schoolhouse and Marion Roads. Mr. Milone has approved hiring a road engineering consultant to work with the Town on the road projects. The benefit will include price and quality of road work, and allow for a more scientific and professional way to decide on road construction strategies, and be more cost effective.
- Solid Waste Collection – there have been concerns expressed about this service because of action taken by the government relative to a number of waste haulers last week. Mr. Milone talked to the principal involved in the firm handling Cheshire's solid waste removal and received insurance that the business is solid and service will be continued at the expected level. There is a performance bond in place for the trash collection service.
- RFP – Pool Consultant – there were 2 responses received in the \$18,000 to \$23,000 range. Mr. Zullo and Mr. Ceccolini will meet with the Parks and Rec Commission to review the responses; and the commission will conduct interviews on July 5<sup>th</sup>, and make a recommendation to the Council.
- False Alarm Ordinance - \$125 fine increased to \$150; the increase is delayed to January 2007 to provide ample time to those people with alarms.
- Flooding June 2, 2006 – Mr. Milone reported there was extensive flooding on Allen Court and Allen Avenue, which spread to Northpond and Troutbrook Roads. There is a detention pond on Fitch Avenue which breached and that was the cause of the flooding.
- Prison Inmate Count – 2469 total inmates at the prison facility.
- Website Activity – report included in the packets; #16 and #18 were the most visited sites, and these are the pool sites.
- I-84 project – Mr. Milone reported that DeFelice is the company involved with this road construction project, and they are having serious financial problems, and walked away from all their road projects. This has impacted the Town because the Town supplied a significant number of extra duty police officers on that project, at a cost of about \$150,000. The Town is trying to collect this money and has made a claim against the performance bond company last month.

- Upcoming meetings – June 27<sup>th</sup> Town Council Special Meeting.

#### Council Questions

Mrs. Visconti asked how the treatment plan was doing with all the rain.

In response, PW Director Michaelangelo said that flows are high; 4.5 million gallons per day which is 100,000 gallons over the permitted limit; and this tells us that we have been able to handle this flow without any problems or over flow, and without an adverse effect on the treatment quality.

Mr. Ruocco noted that the flooding of June 2<sup>nd</sup> was close to his neighborhood, and 2 houses were greatly affected. He said there has been a lot of development over the Town border in South Meriden, and asked if the Town coordinates with neighboring towns close to the border about developments. It may have been a retention bond breach, but he asked what caused the breach.

There are statutory requirements with Planning and Zoning, and Mr. Michaelangelo said they do hear about developments on the borders. He also heard there was a development up stream from this area of Cheshire, but he does not have specifics. The detention pond was an existing one, 25 to 30 years old, but it is not known why it overflowed. He contacted the engineers in Meriden and discussed this matter with them.

Mr. Schrumm asked about the STEAP grant, and if there have been preliminary discussions with DOT about the hydrology of this area with the canal under the road. Also, something must be addressed with the jersey barriers, and the culvert, and the State repairing the culvert without Town funds. This is a State issue, and there has been flooding in the area in the past.

At this point, Mr. Milone said conversations with DOT have not taken place, and the grant was just received.

Mr. Schrumm asked when the RFP for the Lassen property will be going out to bid.

In response, Mr. Milone said he has met with Town Planner Voelker and discussed this issue, and the draft RFP will be given to the Town Attorney. It is hoped to get the RFP out in a few weeks.

Attorney Knott reported that the papers from the State were finally received; they have been reviewed; and the Council will have to do some approvals at the next meeting for the final language.

Mr. Schrumm asked about receipt of the grant, and in the future if there is anything that precludes the Town from sending the \$450,000 back to the State if the RFP is too restrictive and no one wants to lease the property.

Attorney Knott said his recommendation is to do that when the Council looks at these papers now.

Regarding the Woodpond Dam, Mr. Schrumm asked about the status of this matter.

Town Manager Milone stated that the Town has not yet received the Dam Safety Committee report from the State.

Mr. White commented on the Harrison Road residents asking about the timing and completion of the road work.

This work should be done in about 2 or 3 weeks, and Mr. Milone said this will be the first project to be worked on.

Mr. Michaelangelo advised that all the drainage is in place; there is a mixture of old asphalt and gravel; and this project will be combined with part of Wiese and Peck. He is holding off for a while pending receipt of a better job and price, but the road will continue to be maintained so it is not a nuisance or hazard to the drivers. The road will be done by end of summer.

**9. TOWN ATTORNEY'S REPORT AND COMMUNICATIONS.  
Executive Session**

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

**A. Chairman's Report.**

Chairman Hall advised that the Council will have a special meeting on June 27<sup>th</sup>; the July meeting will be on the 11<sup>th</sup> with no second meeting in July; and the August meeting will be held on August 1<sup>st</sup> as a special meeting.

**B. Committee Reports.**

**C. Miscellaneous**

**11. APPROVAL OF MINUTES**

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

MOVED that the minutes of May 9, 2006 and May 23, 2006 be approved subject to corrections, deletions, additions.

Chairman Hall explained that the minutes will be e-mailed to Council members by the Clerk; and the Councilors are to e-mail any corrections back to the Clerk by the Friday before the next Council meeting.

Mr. Schrumm stated that the Councilors should not make changes to the intent of what they said, but only make corrections to the minutes.

VOTE           The motion passed unanimously by those present.

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

MOVED that the Town Council approve the Town Council Joint meeting with the Personnel Committee minutes of May 31, 2006.

VOTE           The motion passed unanimously by those present.

## **12. MISCELLANEOUS AND APPOINTMENTS**

### **A. Liaison Reports**

Human Services Committee – Mrs. Visconti thanked the committee for their Alcohol Awareness Week proclamation.

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

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

MOVED that Gerald Hauser be appointed to the Cheshire Housing Authority as Tenant Representative, to replace Jane Lint, term of office current to 9/1/07; Reappointment of Judy Goldman (D) to Chesprocott Health District, term of office current to 9/1/08; appointment of David Henderson (D) to Chesprocott Health District, to replace Richard Hagstrom, term of office current to 9/1/07; appointment of Katie Olive (D) to Human Services Committee, to replace Thomas Ruocco, term of office current to 1/31/07; appointment of Ophelia E. Frazier (R) to the Performing and Fine Arts Committee, to replace Jodie Heritage, term of office current to 1/31/07.

VOTE           The motion passed unanimously by those present.

## **13. COUNCIL COMMUNICATIONS.**

### **A. Letters to Council.**

Mrs. Esty reported on a letter to the Council with regard to feral cats and a change in ordinance to encourage a fine if cat owners do not have their cats neutered.

**B. Miscellaneous**

**14. EXECUTIVE SESSION**

**A. Pending claims and litigation**

**a. Baker v. Town of Cheshire**

**B. Land Acquisition**

**C. Personnel Matters**

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

MOVED that the Town Council enter Executive Session at 11:37 p.m. to include the Town Manager and Town Attorney for all matters; PW Director Michaelangelo and Attorney Stapleton for pending claims and litigation; Personnel Director Zullo for personnel matters.

VOTE The motion passed unanimously by those present.

Mr. Hall left the meeting at 11:45 p.m.

Mrs. Visconti left the meeting at 12:35 p.m.

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

MOVED that the Town Council exit Executive Session at 12:55 a.m.

VOTE The motion passed unanimously by those present.

**15, ADJOURNMENT**

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

MOVED that the Town Council adjourn at 12:55 a.m.

VOTE The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk  
Cheshire Town Council