

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON
TUESDAY, JUNE 14, 2005, IMMEDIATELY FOLLOWING THE 7:30 PUBLIC
HEARINGS IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN
STREET, CHESHIRE CT 06410**

Present

Chairman David Orsini; Vice-Chairman David Schrumm; Council Members Justin Adinolfi, Steve Carroll, Sheldon Dill, Michael Ecke, Matthew Hall, Diane Visconti, and Timothy White.

Town Manager Michael A. Milone

Town Attorney John Knott

Finance Director Diane Waldron

Deputy Finance Director James Jaskot

Parks and Rec Director Robert Ceccolini

Town Clerk Carolyn Soltis

Fire Chief Jack Casner

Deputy Chief Don Youngquist

Assistant Chief Steve Williams

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; the Colors were presented by Boy Scout Troop 90, Norton School.

3. PUBLIC COMMENTS

A. Recognition of Eagle Scout Aaron Brittingham

Chairman Orsini presented a Certificate of Recognition to Aaron Brittingham on his achievement of attaining the rank of Eagle Scout and commended him for his Scout project at St. Thomas Church.

Council members congratulated Mr. Brittingham on his accomplishments and wished his continued success.

B. Recognition of Eagle Scout Nathan Climer

Chairman Orsini presented a Certificate of Recognition to Nathan Climer on his achievement of attaining the rank of Eagle Scout and commended him for his Scout project at Epiphany Church.

Council members congratulated Mr. Climer on his accomplishments and wished his continued success.

C. Public Comments

John Andrewkowich, 40 Southwick #205 commented on the good work of the Boy Scouts throughout the Town of Cheshire. He asked if a performance bond is required by the Town of Cheshire for private developments such as Stonegate, Ricci Building and Southwick, and if the Town could be held responsible after developers turn over property to purchasers.

Attorney Knott responded that a performance bond is not required for private developments or contractors because it is their own project. If something goes wrong after the certificate of occupancy is issued, the municipality cannot be liable for those problems. Things are approved according to the basic building code; there are periodic inspections of sites by the Town officials. Cheshire has no liability for private developments.

4. CONSENT CALENDAR

MOTION by Mr. Schrumm; Seconded by Mr. Dill.

BE IT RESOLVED, that the Town Council approves Resolution #061405-1

RESOLUTION #061405-1
CONSENT CALENDAR FOR JUNE 14, 2005

BE IT RESOLVED, that the Town Council approves the Consent Calendar for June 14, 2005 as follows:

- A. Acceptance and appropriation of \$100.00 from the Cheshire Rotary Club To the Crusade Against Cancer.
- B. Appropriation of \$1000.00 from Library Gift Account for memorial books And materials.
- C. Appropriation of \$2,000.00 from the Julia Thompkins Fund to be used For circulation and reference books and materials.
- D. Appropriation of \$400.00 from the Schackenbach Fund to be used for Library Materials.
- E. Authorization to execute fiber optic communications network agreement For the Cheshire Public Schools with Fibertech Networks due to Indemnification clauses.

VOTE The motion passed unanimously by those present.

5. ITEMS REMOVED FROM THE CONSENT CALENDAR
None.

6. OLD BUSINESS

7. NEW BUSINESS

A. Discussion and action re: The 2005 Neighborhood Assistance Act Program Submissions.

MOTION by Mr. White; seconded by Mr. Dill.

BE IT RESOLVED, that the Town Council approves Resolution #061405-2.

RESOLUTION #061405-2

BE IT RESOLVED, that the Town Council approves the 2004 Neighborhood Assistance Act Program submission by New Opportunities for Waterbury, Inc. and the three submissions by Elim Park Baptist Home Inc.

VOTE The motion passed unanimously by those present.

B. Discussion and action re: Amendment to the Building Fees Ordinance Section 3-3.

MOTION by Mr. Carroll; seconded by Mr. Dill.

BE IT RESOLVED, that the Town Council approves Resolution #061405-3.

RESOLUTION #061405-3

BE IT RESOLVED, that the Town Council adopts an amendment to the Building Fees ordinance, Section 3-3, as attached, effective 21 days after publication.

VOTE The motion passed unanimously by those present.

C. Discussion and action re: Supplemental appropriation of \$26,044 For fire pumper engine.

MOTION by Mr. Schrumm; Seconded by Mr. Dill.

BE IT RESOLVED, that the Town Council approves Resolution #061405-4

RESOLUTION #061405-4

BE IT RESOLVED, that the Town Council authorizes the expenditure of \$26,044 from the Fire Department equipment line item 1-10-15-230-000-603 to

supplement the capital appropriation for the purchase of a new fire pumper engine, and

BE IT FURTHER RESOLVED, that prior to the close of the fiscal year, a transfer will be made to this line item, if necessary.

Discussion

Mr. Schrumm explained that in March 2005 there was one bid received for the new fire truck, and it was \$26,044 above the Council's approved appropriation in the capital budget. The \$26,044 will come from the equipment line item of the Fire Department budget; it cannot come out of bond proceeds; at the end of the fiscal year there will be a transfer back to the department budget.

Mrs. Visconti thanked Chief Casner for submission of the detailed explanation on the history and need for funding of this fire truck.

VOTE The motion passed unanimously by those present.

Mr. Schrumm noted that the Town Council will be entering the capital budget process for next year. There will be some changes made in the way things are brought to fruition for all capital items.

D. Discussion and action re: Community Pool.

1. Approval of supplemental appropriation

MOTION by Mr. Schrumm; seconded by Mr. Carroll.

BE IT RESOLVED, that the Town Council approves Resolution #061405-5

RESOLUTION #061405-5

WHEREAS, the Community Pool Fund Budget has experienced higher than anticipated operating expenses in utility costs, additional lifeguards, temporary help and unanticipated maintenance and supply expenses, and

WHEREAS, it is estimated that a \$90,000 supplemental appropriation to the FY 04-05 Community Pool Budget is needed to cover these additional expenses, which will be appropriated from General Fund Equity, and

WHEREAS, that in order to facilitate this action, generally accepted accounting principles require that this \$90,000 appropriation pass through the General Fund operating budget as an Operating Transfer to Other Funds;

NOW, THEREFORE, BE IT RESOLVED, that the Cheshire Town Council appropriates \$90,000 from General Fund Equity to the FY 04-05 General Fund

Operating Budget increasing the transfer to the Community Pool Fund Subsidy Transfer A/C #1-10-40-360-365-710 from \$120,000 to \$210,000 and the total General Fund appropriation from \$80,295,844 to \$80,385,844; and

BE IT FURTHER RESOLVED, that the Cheshire Town Council increases the Fund Equity Revenue A/C #2-10-45-000-901-000 from \$550,000 to \$640,000; and the total General Fund Revenues from \$80,295,844 to \$80,385,844; and

BE IT FURTHER RESOLVED, that the Cheshire Town Council increases the Community Pool Fund Contingency A/C #1-30-40-375-000-707 from -0- to \$90,000, and increases the total Community Pool Fund appropriation from \$727,000 to \$817,000; and

BE IT FURTHER RESOLVED, that the Cheshire Town Council increases the Pool Fund Subsidy A/C #2-30-15-000-900-000 from \$120,000 to \$210,000 and increases the total Community Pool Fund revenues from \$727,000 to \$817,000.

Discussion

Town Manager Milone advised that this makes a supplemental appropriation from this operating budget for the community pool. When expenditures for the pool were estimated in February it was projected to be about \$42,000 over expended as a result of building maintenance and supply issues, utility issues. It was found that a supplement of \$90,000 will be needed to close out the fiscal year for the pool.

One of the larger variances is in the temporary part-time help line item which is over by \$22,000; this is due to opening the pool earlier than expected after the bubble was removed, greater demand for the pool, keeping the pool open to 7 p.m. daily (rather than 5 p.m.), increased demand for lessons, parties, events, etc. which require lifeguards and staff to be on duty, thus increasing payroll. The head lifeguard resigned in April, and there was reassignment of temporary lifeguards to fill this void with additional salary costs.

The utility account estimated at \$140,000 is increased by \$30,000 to \$170,000 for natural gas for the facility; this was due to a usage increase of 10% and rate increase of 6%. Mr. Milone advised that the natural gas account is an area of concern if these trends continue; \$154,000 is budgeted for the next fiscal year. Recommendations have been made by the Energy Commission as a capital budget request to mitigate these costs.

The building maintenance account is another concern, and it will be okay without repeated problems at the facility.

On a positive side, the general fund surplus will be about \$400,000 more than anticipated, so there is ample money to transfer into the pool account. Mr. Milone said he would be meeting with the Budget Committee on the issues for

this year and review each account in detail for an understanding of the problems which had to be dealt with, financially, and the impact, if any, on next year's budget. Mr. Milone reported that there has been a significant increase in membership at the pool and in the use of the pool.

VOTE The motion passed unanimously by those present.

2. Status Report on marketing effort.

In January, Mr. Milone said there was disappointment in the membership renewals for the community pool, and plans were made to increase membership, and find ways to enhance revenue.

Tiles will be sold for the pool wall, and this could generate \$35,000 to \$50,000.

Concession Stand – a local vendor, Bagelicious will provide food at the pool for the summer time beginning June 27th (sandwiches, snacks, bagels, cold drinks and freezer for ice cream). This will address one of the concerns and also generate some revenue.

Fee Modifications – the reduced non-resident fee has had a positive impact; the use of credit cards was instituted in May.

There will be promo spots on cable access TV for the pool; a brochure has been published; and newspaper articles will be released on promotion of events, classes, etc. On June 25th there will be an open house at the community pool for residents and non-residents; \$5 family fee for this day; rain date July 2nd; enhancements to the facility include painting, plantings, more umbrellas and picnic tables, locker room upgrades.

Ms. Talbot reviewed the Executive Summary/Pool Survey (copy attached to minutes) which was developed in order to gather feedback from the community on the usage and perceptions of the pool facility. She noted that responses tended to be very different with users more positive than non-users. Comments about the pool facility centered around cleanliness, mold, building and bubble unattractive, rates are too high, lack of privacy in locker rooms, pool built for and caters to swim teams. Good to excellent ratings were received for programs, staff, hours of operation, location and safety. Under "miscellaneous" comments, lack of use was a major reason for non-renewal of membership; there was interest in food at the facility for the summer time; people did not know the pool had a website; and, respondents represented a range of ages, and included singles, couples and families.

In response to public requests, Mr. Milone said the pool is now open until 7 p.m. each evening; this has increased the salary costs for the temporary lifeguards.

Ms. Adams reported that the responses to the survey were carefully reviewed and she highlighted suggestions and requests received from the public which included the following:

Seasonal membership;

More locker space for parents with young opposite sex children (private locker rooms to be installed in women's locker room)

Consistent hot water for showers

Large clock to be hung on the wall

More bleachers (ordered)

Babysitting (was tried, not successful)

Better advanced notice of closings

Bike rack (to be installed)

Eliminate gravel (concrete surface being installed)

Shelves in showers (to be installed)

Towel Rack/Shelving for lap swimmers (to be installed)

Include grandparents/nannies/caregivers on memberships (\$10 added to membership includes these people).

Have CHS swim team walk to the site and not take up parking spaces

Improve aesthetics – plants, murals, add color (being done)

Ms. Adams said that the parking lot will be re-striped to allow for more parking spaces; 364 family passes purchased to date; 27 out of town family passes to date.

June 25th event – Mr. Ceccolini advised it is open to residents and non-residents; cost is \$5 per family; there will be a dee-jay, dunk tank, face painting, and other events for the families to enjoy; rain date July 2nd.

The concrete pad is being poured by the PW crews; there has been progress in making the improvements requested.

With regard to the recent brown out on Sunday, Ms. Adams advised the Council that it was between Patton Drive and CHS, and there was a partial brown out and then full brown out at the pool facility. The burner and blower are being checked out this week.

Mrs. Visconti commented on the marketing efforts which are going into the pool, and asked if there should be a committee to look at marketing the pool.

Marketing is a business, and Ms. Adams said a committee is something that could be considered.

It was explained by Mr. Milone that there is a Parks and Rec Commission with a pool subcommittee. We need a "Friends of the Pool" group to work with the tile

fund raiser and future fund raisers, and volunteers to get the work out about the pool memberships.

If this is a hot summer, Mr. Hall said that with the information received from the survey, and if the pool operates at a negative, the Town may want to invest money by outsourcing some marketing of the pool facility.

As liaison to Parks and Rec Commission, Mr. Carroll said that it is doubtful the Council could come up with a concept which the commission has not already considered. The pool is a start-up operation and the facility needs more time; in the future it may have to be reevaluated; the Energy Commission is looking at savings at the facility. Mr. Carroll noted that the perception of the Cheshire pool is distinctly different outside Cheshire where it is considered to be the best outdoor facility in Connecticut and/or New England. The pool is a business and must be run as a business, and Park and Rec has done an outstanding job on overseeing the pool.

Mr. Schrumm said that it must be put in perspective; the pool is perceived elsewhere as a positive; we have not yet completed one full year of operation at the pool; some progress has been made; staff is working hard for the success of the facility; and we will have a clearer picture in a few years about actual costs of the operation of the pool.

Everyone is doing a great job and Mr. Hall said that in the future the operational part of the facility will be sorted out and marketing will be vital to its success.

Mrs. Visconti commended the staff for working hard and doing a good job. She said it is nice to hear that outside town this is considered a premier pool.

Mr. Adinolfi thanked Mrs. Visconti for her suggestion of a marketing committee, and he commended staff for getting the survey out and increasing the marketing efforts. There was a \$90,000 appropriation for the pool approved by the Council tonight, but people want this pool to be self-supporting.

Mr. Milone said he is not dismissing the idea of a committee for marketing the pool. We have not been through a complete fiscal year for the facility, and trends are important in budget projections. Mr. Milone wants to schedule a meeting in August or September to review every account for the pool facility; understand what is driving the expenses; look at the revenue side generation computations; and revisit and look at everything that is happening.

It was noted by Chairman Orsini that the Council voted for additional appropriation for the pool, but did not vote to accept additional revenue. He does not want the perception that money is going out and none is coming in.

Mr. Milone reported that revenue is just a little below expectations and last year at this time, and significant membership are needed in June, i.e. \$100,000 in miscellaneous revenue to make the revenue target.

If there is another shortfall, Mr. Ecke asked if there would be another transfer.

According to Mr. Milone another transfer will come from the general fund. To make the pool self-sufficient, it was estimated that a fee increase at 3 times the current rate would be needed to make it self sustaining, and in the process a lot of members will be lost. Mr. Milone believes we will reach a ceiling on memberships and revenue generation of this facility, and this will be a reality. No matter how well it is run, there will always be a need to provide some sort of subsidy from the general fund.

Chairman Orsini thanked Ms. Talbot, Ms. Adams and Mr. Ceccolini for their presentation.

- E. Discussion and action re: Amendment to FY 04-05 General Fund Operating Budget for supplemental appropriations.
(no motion)**
- F. Set public hearing for proposed farm tax exemption ordinance.**

MOTION by Mr. Carroll; seconded by Mr. Dill.

BE IT RESOLVED, that the Town Council approves Resolution #061405-7

RESOLUTION #061405-7

BE IT RESOLVED, that the Town Council shall hold a public hearing to consider a proposed ordinance on farm building tax exemptions, Section 17-13 (new) and

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

BE IF FURTHER RESOLVED, that the date, time, and place or any postponements thereof shall be determined by the Town Manager with the approval of the Chairman of the Council.

Discussion

Mr. Carroll explained that this matter has been heard by the Ordinance Review Committee. The State passed legislation to give property tax abatements to farm buildings. The cost will be about \$80,000 annually, and it is expected that the farmers will reinvest this money into personal property for the farm, and it makes good sense to preserve and assist the farmers. The ordinance can be enacted in

whole or not at all. The legislature is considering partial implementation of the exemption, but ORC is firm on granting a full exemption to Cheshire farmers.

Mr. Hall asked about using the phrase "up to \$100,000" to cover the Town.

Attorney Knott advised that we do not have the actual legislation at this time, and we will have to wait and see what happens, and hold the public hearing next month.

VOTE The motion passed unanimously by those present.

G. Discussion and action re: Authorization to apply for Small Town Economic Assistance Program (STEAP) Grant for West Main Street Improvements.

MOTION by Mr. Schrumm; seconded by Mr. Dill.

BE IT RESOLVED, that the Town Council approves Resolution #061405-8

RESOLUTION #061405-8

WHEREAS, pursuant to Connecticut General Statutes 4-66g STEAP, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects, and,

WHEREAS, it is desirable and in the public interest that the Town of Cheshire make an application to the State for a \$500,000 in order to undertake the West Main Street streetscape improvements project and to execute an Assistance Agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Cheshire Town Council is cognizant of the conditions and prerequisites for the state assistance imposed by Connecticut General Statutes 4-66g STEAP, and that the filing of an application for state financial assistance by the Town of Cheshire in an amount not to exceed \$500,00 is hereby approved, and that Michael A. Milone, Town Manager, is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for state financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Cheshire.

Discussion

Cheshire is authorized to apply for a \$500,000 grant from CDECD, and Mr. Schrumm said the State makes these grants available, and we are hoping to defray some of the costs associated with projects such as the West Main Street Streetscape. This all ties in with a DOT issue, the rail trail crossing of West Main Street, business in the area, but there is a long way to go. We are just applying for the grant.

Mr. Adinolfi said he would support this resolution to apply for the grant, but has concerns about where we are with this proposal. He has concerns about the State asking what is being done. There needs to be things done holistically with it, i.e. regulation changes, grants to assist landowners with improvements, etc.

In response to Mr. Hall's question on the specificity of the grant application and flexibility of the award, Mr. Milone said he could not answer the questions because the legislature is still working on the final round of STEAP grants. The grant application has not been received yet. Past experience last year, applying for \$500,000 for the dump remediation, made reference to the fact that Cheshire had the design, plans, cost estimates, etc. and included this with the information provided for the grant. We will not have the application for a few weeks. Town staff met with staff from the Department of Community and Economic Development, and they like to see economic development projects, and understand every loose end will not be tied up when applying for the grant. If more information is required, Mr. Milone will come back to the Council to put it together.

Mr. Ecke asked about the time span between submission of the application and receipt of the funds.

They are usually quick, and Mr. Milone said he believes they will want the application in August. If it follows the same process as last year, the Town learned within 6 weeks that the grant was awarded for the dump remediation. So, we will probably know by the end of September; the funds do not have to be immediately spent; with the dump the funds were received last year and the project is just starting now.

Mr. Schrumm pointed out that this project must be tied in with the extension of the Linear Park crossing West Main Street. The State has the culvert and bridge there and we must talk to the DOT about repairing them before going forward. We want to have the funds in place and more must be heard from area businesses.

There are unanswered questions and loose ends, and Mr. Milone said the problem is getting the application in during the July cycle or we lose a whole year. Waiting until the fall when questions are all answered means waiting until next July to get into the next cycle.

Mr. Carroll stated he would support the application for the grant funds, and the idea of freshening up West Main Street, even without the Linear Trail running through, is a good idea. This is worth the investment in order to reap the benefits. We must apply for the grant, and getting this project moving forward is very important. He fully supports the project.

Mr. Adinolfi asked whether time frames vary by the STEAP grant and spending the money.

Mr. Milone is not sure, but from his experience the funds have not expired, i.e. the dump remediation. This is another item to be looked at when the grant application is received and he will apprise the Council.

Mrs. Visconti stated her support for this resolution, and said it is important to make an investment in the community. She is looking for reassurances from Mr. Milone and the new Town Planner, since this will be the first major project for the new Planner. This project has great potential for the Linear Park, changing of zoning or whatever.

Mr. Milone said he will discuss the process of filling key vacancies during his report, and the new Planner will be facing this high priority along with the integration of the Linear Park and possible extension.

Chairman Orsini extended congratulations to staff and various subcommittees for being very proactive on this project and getting out in front before other municipalities.

VOTE The motion passed unanimously by those present.

H. Discussion and Action re: Non-union police retirement incentive Modification (possible executive session)

MOTION by Mr. Dill; seconded by Mr. Carroll.

BE IT RESOLVED, that the Town Council approves Resolution #061405-9

RESOLUTION #061405-9

WHEREAS, the Cheshire Town Council passed a Non-Union Police Officers Retirement Incentive Plan on December 14, 1999 (Resolution #121499-11), that applied to the four non-union sworn officers as of that date (Merriam, Walberg, Sidoruk and Irving) as the only officers eligible under this Plan;

THEREFORE, BE IT RESOLVED, that Resolution #121499-11 is amended such that the benefits of the Plan shall be provided to a decedent's estate/beneficiaries

in the event that an eligible non-union officer dies prior to retirement and the initiation of benefits under this Plan section, provided decedent was eligible for normal retirement and continued to work beyond the normal retirement date.

This amendment is the only revision to Resolution #121499-11 and does not change the Plan's application to any other non-union officers other than those eligible and covered on December 14, 1999.

Discussion

Mr. Dill, Chairman of the Personnel Committee, advised the Council that this matter was discussed at the committee level and was unanimously approved.

VOTE The motion passed unanimously by those present.

I. Discussion and action re: Non-Union Pay Plan Salary Ranges

MOTION by Mr. Dill; seconded by Mr. White.

BE IT RESOLVED, that the Town Council approves Resolution #061405-10

RESOLUTION #061405-10

BE IT RESOLVED, that the Town Council approves the salary range adjustments for non-union Town employees as presented and attached, effective July 1, 2005.

Discussion

Mr. Dill explained that these are salary range adjustments without any additional cost to the Town. This matter was discussed at the Personnel Committee and approved unanimously.

Mr. Carroll stated that this is an annual review of the salary schedules and changes of classifications to positions. In private business the common practice is tying raises to the rate of inflation; it is sometimes difficult to review on an annual basis; and the common practice is extending reviews out 18 to 24 months or further. This should be considered by the Town in a slow economy as we try to maintain costs while rewarding employees.

The overall adjustment is 2% for non-union employees; 3% for Library staff.

VOTE The motion passed unanimously by those present.

**J. Discussion and action re: Amendments to Personnel Rules
 And Regulations.**

MOTION by Mr. Dill; seconded by Mr. Carroll.

BE IT RESOLVED, that the Town Council approves Resolution #061405-11

RESOLUTION #061405-11

BE IT RESOLVED, that the Town Council amends the Personnel Rules and Regulations as presented, effective July 1, 2005.

Discussion

This matter was discussed and approved at the Personnel Committee meeting and Mr. Dill advised that these are minor changes in the Rules and Regulations.

Mr. Schrumm said he assumes that many of the changes are adjustments as a result of existing union contracts.

Mr. Milone explained that many track the present labor union contracts; some do not; some are benefits that are not offered to the labor union or offered in a different format.

10-7 – has to do with longevity; some bargaining units get longevity;
9-4 – is consistent with bargaining units;
10-4 is consistent with bargaining units;

The other changes are minor; 10-9 is a new provision which came out of discussions with various employee groups and the intent to develop a healthier work force.

VOTE The motion passed unanimously by those present.

K. Discussion and action re: Town Clerk's Salary.

MOTION by Mr. Dill; seconded by Mr. Carroll.

BE IT RESOLVED, that the Town Council approves Resolution #061405-12

RESOLUTION #061405-12

BE IT RESOLVED, that the Town Council hereby adjusts the salary of the Town Clerk by 3.25% from the current salary of \$58,357 per year to \$60,254 per year, effective January 1, 2006, and

BE IT FURTHER RESOLVED, that the Town Council adjusts the salary of the Town Clerk by 3.25% from the salary of \$60,254 established as of January 1, 2006 to \$62,212 effective January 1, 2007.

Discussion

Mr. Dill said this matter was discussed and approved at Personnel Committee level; it is a two year contract for the Town Clerk's position; 3.25% was the approved salary increase for the next two years.

Chairman Orsini said this is setting the salary for the next two years for the office; not the individual.

VOTE The motion passed unanimously by those present.

**L. Discussion and action re: Town Manager's Performance Review
 And Contract (possible executive session)**

MOTION by Mr. Dill; seconded by Mr. Carroll.

BE IT RESOLVED, that the Town Council approves Resolution #061405-13

RESOLUTION #061405-13

BE IT RESOLVED, that the Town Council hereby amends the contract with the Town Manager with the adoption of the following changes:

- 1) Extend the contract to June 30, 2008
- 2) 3.25% salary increase, effective July 1, 2005
- 3) Amendments: \$2,000 bonus and increase in deferred compensation of 1%.

This amendment is effective as of July 1, 2005.

Discussion

Mr. Dill advised that this matter was discussed and approved at several of the Personnel Committee meeting, and the committee unanimously approved the Town Manager's performance review and contract. Mr. Dill commented on the superb job done by the Town Manager and said the Town of Cheshire and Town Council are lucky to have Mr. Milone as Town Manager. Mr. Dill believes him to be the best Town Manager in the State of Connecticut. Mr. Dill is very pleased with the job done by Mr. Milone, and noted that through his efforts Cheshire has an extremely strong credit rating; he developed the 2006 budget which enhanced services, keeping the mill rate below inflation; realized grants totaling \$1.5 million; successful bond refunding and \$1 million generated in debt service savings; and Mr. Milone maintains a high level of accessibility and responsiveness throughout the Town government, starting with his office. This is extremely important to the Council and the Cheshire residents.

Mr. White said that Town Manager Milone is doing a good job, goes above and beyond, and communication from the Town Manager's office with the community is very strong.

Mr. Ecke agreed with comments from his fellow Councilors, noting that he drives through the Town Hall area to get to his home, and Mr. Milone spends a great deal of extra time in Town Hall in the early mornings, evenings and weekends. Mr. Milone is dedicated to his job and puts in great and extra effort.

Mrs. Visconti concurred with statements made, stating Mr. Milone does a professional and excellent job; that spending of all money is not done lightly, and it goes through Mr. Milone (i.e. the pool and fire truck); and, this does not happen until there are hard questions asked and good answers received.

Mr. Hall thanked Mr. Milone for all he does and asked him to keep up the good work.

Mr. Schrumm stated it is nice to have a professional to work with as Town Manager. He thanked Mr. Milone for the long hours and hard work, and commented on the extra ordinary amount of time he spends with members of the community, and his patience at all times.

Mr. Adinolfi agreed with the statements made, stating that Mr. Milone is an extreme professional and very open to other ideas and points of view, and this is important in the position he holds.

Chairman Orsini thanked Mr. Milone for helping the Town Council make good decisions, and the time and effort he provides to the Council members, and it is much appreciated.

Ray Squier, 291 Cook Hill Road, stated that Mr. Milone is a gentleman of the highest order, considerate, kind, thoughtful, and thanked him for his time.

John Andrewkovich agreed with the accolades to the Town Manager, and asked about the dollar value of his new contract.

Mr. Milone responded that his current salary is \$115,306; the 3.5% increase and his new contract will bring his salary to \$119,053.

VOTE The motion passed unanimously by those present.

M. Discussion and action Re: Town Manager's FY 05-06 Goals and Objectives

MOTION by Mr. Dill; seconded by Mr. Hall.

BE IT RESOLVED, that the Town Council approves Resolution #061405-14

RESOLUTION #061405-14

BE IT RESOLVED, that the Town Council approves the Town Manager's Goals and Objectives for FY 05-06 as presented.

Discussion

Mr. Dill reported that Mr. Milone's goals and objectives have been discussed with him and the Council over the last few months. He thanked Mr. Hall and Mr. Carroll (Personnel Committee members) and other Councilors who attended the meetings. The Town Manager's goals and objectives are ambitious and doable, and Mr. Dill believes they will be completed as they have been in the past.

Mr. Carroll pointed out that Mr. Milone's goals and objectives are very detailed, and that he pays close attention to them throughout the year. He commended Mr. Milone for his FY 05-06 goals and objectives.

Mr. Adinolfi stated his full support for the Town Manager's goals and objectives, stating they are very detailed and intensive. Mr. Adinolfi expressed concern about continuation of the 5.8% fund equity understanding that the goal is to have a rainy day fund and meet what the rating agencies want. He noted that the rating agencies do not give any credit to the Town for being above the 5%. Mr. Adinolfi questioned why we are at 5.8% when 5% is probably adequate, and in doing the math it is \$640,000 being held in an equity fund that could be used elsewhere or reduce the mill rate. He asked that 5% be considered next year.

Mrs. Visconti stated that the Town Manager's goals and objectives are tied into the Strategic Plan and the citizen input from a few years ago.

With regard to the 5.8% fund equity, Mr. Milone said he is concerned about maintaining a 5% fund balance because the point of having this fund is for emergencies that arise. If we maintain it at 5% and it must be tapped into for \$250,000 or \$500,000 it immediately goes below the 5%. It is prudent for the Town to maintain that cushion of some amount over the 5% so when it is tapped into it will not go below 5%. This is the rationale he uses and will continue to use. However, this is the call of the Town Council.

Going back to 5% is not a good idea and Mr. Schrumm said we need cash flow, and have been careful about the fund balance. He does not recommend going below 5.8% especially in the economy the Town faces now.

Mr. Hall stated that this is the Town Council's objective, not just the Town Manager. Mr. Milone makes the proposal but the fund equity number is the responsibility of the Council.

VOTE The motion passed unanimously by those present.

8. TOWN MANAGER'S REPORT AND COMMUNICATIONS

A. Monthly Status Report (in packets)

B. Monthly Departmental Status Report (in packets)

C. Other Reports

Mr. Milone thanked the Town Council for their support, stating he enjoys what he does, and hopes to continue for many more years. The Council and his staff are a good group of people to work with, and they challenge him constantly. He also thanked the public for their kind comments.

FY '05 Budget Monthly Report – Mr. Milone advised that the surplus is expected to be about \$858000 due to some things on the revenue side -- there was success with the lien sale with an additional \$140,000, tax collection rate is at 99.4%, investment income generated a +\$80,000, there was an \$86,000 penalty for a company which did not meet requirements of the incentive program.

- FEMA Reimbursement – The Town will be receiving \$51,729 from the State as reimbursement for storm expenses related to the major storm of January 22-23.
- FY '06 Aid – The packet included a CCM summary of grants; the legislature adopted a final and approved budget; Cheshire will receive \$300,000 more than proposed in the Governor's budget; about \$200,000 was already approved in the FY budget, and this means about \$100,000 more in state aid than budgeted. The conveyance tax was extended for another two years.
- CEP – the Capital Budget is due to the Council on July 15th; Budget Committee meetings will be set up prior to that date for pre-planning and making the process easier. The Capital Budget must be adopted by late August in order to get referendum questions on the November ballot.
- Library Revised Hours – as of the Tuesday after Labor Day, the Library will open at 9:30 a.m.
- Executive Management Vacancies/Hiring Process – Mr. Milone reported that the Town Planner Pfurr retires June 30th; Acting Police Chief Sidoruk retires July 5th; and Environmental Planner Kasinskas will resign as of June 30th.

Mr. Milone advised that the Town Planner position will be posted next week, and it is hoped it will be filled by August. There will be an external search for Town Planner; there is one internal candidate; so, it makes good sense to go outside as well. The new Town Planner will hire the new Environmental Planner.

The position for Acting Police Chief will be made later in the week, and a permanent Chief will be hired and in place by the beginning of September. For the Chief position, internal candidates will be explored first, and if there is not an adequate replacement for Chief Walberg, then there will be an external search.

- Water Main Extension – Chief Casner reported to the Town Manager that RWA will extend water mains in the South and North Brooksvale areas; this is a \$500,000 to \$600,000 project which RWA is undertaking; there are expensive homes in this part of Town, and Chief Casner has wanted to get water into this area for a long time. If water were to be extended down some of the side streets, it would be at the expense of the Town.
- Underage Drinking Grant – at the 2nd meeting in May the Council approved this grant for \$13,000, and Mr. Milone summarized some of the major items which will receive grant funding. One of the major things is to assess the underage drinking issue by looking at trends, level of use, accessibility of alcohol, effectiveness of some prevention methods used in the past, and increasing law enforcement efforts to stop underage drinking and decrease the number of underage drinkers. Part of the grant will go to increasing youth leadership programs.
- Transmission line upgrade – There will be a meeting June 29, 2005 at 7:00 p.m. in Room 207/209 for local people affected by the upgrade to have some input into the right-of-way, height of the towers, buffer zone, etc. Attorney Buturla will be present to summarize the Siting Council's findings. This meeting is the first step in establishing a petition to the Siting Council voicing our concerns.
- Town Council Video Equipment Needs – Mr. Chase requested an upgrade in video equipment, totaling \$1,200, and the Town Manager has approved this request.
- Post office status – Ms. Walker was not ready to meet with the Council tonight, but will attend the June 28th meeting after she meets with the Site Review Committee. At the June 28th meeting, Ms. Walker will give a presentation to the Council on the status of the relocation of the post office.

With regard to the additional state aid, Mr. Schrumm said Cheshire is getting \$299,000 more, but the net is \$99,000 because \$200,000 has already been

counted in the budget. He noted that we are still not at the level of funding from the state of 4 or 5 years ago.

Mr. Milone said that with ECS, the Town is still not at the past level, and is about \$400,000 to \$500,000 short of what was appropriated in the late 1990's. In the 1990's state aid was 27% of the Town's operating budget; and now it is at 17%.

As for the transmission line upgrade, Mr. Schrumm asked about the transmission line meeting, and if this was now a done deal, and how long will Cheshire send a representative to the Siting Council to monitor the issue.

According to Mr. Milone, the process is over, and Attorney Buturla will clearly articulate what can be requested for consideration, i.e. taller poles, wider right-of-way and a buffer zone. The Siting Council will be asked to consider these things.

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

10. REPORTS OF COMMITTEES OF THE COUNCIL.

A. Chairman's Report.

B. Committee Reports.

Budget – Mr. Schrumm reported that the capital budget process is upcoming; he will meet with the Town Manager to work out a meeting schedule. There will be some refinements in the way the CEP is approached this year with respect to ways things are purchased and how money is spent that goes over to the BOE. We must follow more closely the Town Charter with respect to capital projects.

Audit – Mr. Ecke advised that the Town is in the process of signing the engagement letter with the new auditing firm, and they will meet with the Council in the fall.

Planning – Mr. White reported that the committee met on June 13th to discuss the Lassen Farm land management plan and the West Main Street streetscape project.

Solid Waste – Mrs. Visconti had not report, but the committee will be meeting soon regarding the dump remediation project which is starting now.

Mr. Milone said he would be scheduling a tour of the CRRA plant, and interested Council members can contact his office if they wish to participate.

Mr. Schrumm asked about cutting of trees on the old dump site on West Main Street, and suggested a press release so people do not over-react to the tree cutting.

Mr. Milone said he would get out a press release on the remediation.

Ordinance Review – Mr. Carroll reported that the committee met on June 13th and discussed the farm building tax exemption.

Personnel Committee – Mr. Dill reported that the committee has been active, and will meet before the 1st Council meeting in July.

C. Miscellaneous

11. APPROVAL OF MINUTES Special Meeting of May 18, 2005; Special Meeting May 24, 2005.

MOTION by Mr. Schrumm; seconded by Mr. Dill.

MOVED that the minutes of May 18, 2005 and May 24, 2005 be approved subject to changes, additions, deletions, corrections.

Corrections – 5/24/05 page 8 “Strollo”; 5/18/05, page 10 “Hall”.

VOTE The motion passed unanimously by those present.

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports.

Energy Commission – Mr. White reported that Town Manager Milone met with the commission on issues about the pool, and capital budget items. The commission passed a motion to recommend to the Council that the Town adopt the 20% by 2010 which is insuring that 20% of the Town’s energy use comes from clean energy sources by the year 2010. Mr. White stated that clean air is more expensive than regular energy; and the commission expects the cost over 5 years to be an aggregate of \$30,000, with the first year being \$3,000.

Board of Education – Mr. Dill reported that he participated in the search for the Assistant Superintendent of Schools interview process; 6 candidates were interviewed; 3 will be coming back for additional interviews.

EDC – Mr. Schrumm reported that the EDC is working on revision of the economic incentive plan and new ways to bring development into certain areas of Town. Cheshire is on the cusp of regulatory approval for the largest single increase in the tax base, and that is the large pipe line pump station. One of the

quadrants up there could be built in such a way that would an almost perfect development for this community.

B. Appointments to Boards and Commissions

MOTION by Mr. Carroll; seconded by Mr. Hall.

MOVED to appoint Sean Stollo, 22 Pehr Lane, to the Planning and Zoning Commission, to fill the vacancy of David Majeski, term of office present to the day as stated in the Town Charter.

VOTE The motion passed unanimously by those present.

Mr. Stollo was sworn in by Town Attorney Knott.

13. COUNCIL COMMUNICATIONS

A. Letters to Council.

B. Miscellaneous

14. EXECUTIVE SESSION

A. Pending claims and litigation

B. Land Transfers

C. Personnel matters.

MOTION by Mr. Dill; seconded by Mr. Carroll.

MOVED that the Town Council enter Executive Session at 10:22 p.m. to include the Town Manager and Town Attorney for all matters.

VOTE The motion passed unanimously by those present.

Mr. Dill left the Executive Session at 10:30 p.m.

Mr. Hall left the meeting at 10:45 p.m.

MOTION by Mr. Schrumm; seconded by Mr. White.

MOVED to extend the curfew past 11:00 p.m. to the conclusion of business, and return to Executive Session.

VOTE The motion passed unanimously by those present.

MOTION by Mr. White; seconded by Mr. Adinolfi.

MOVED that the Town Council exit Executive Session at 11:15 p.m.

VOTE The motion passed unanimously by those present.

15. ADJOURNMENT

MOTION by Mr. White; seconded by Mr. Adinolfi.

MOVED that the Town Council adjourn at 11:16 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk
Cheshire Town Council