

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON
TUESDAY, AUGUST 9, 2005, IMMEDIATELY FOLLOWING THE 7:30 P.M.
PUBLIC HEARING, 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, Michael Ecke, Diane Visconti, and Timothy White.

Absent: Matthew Hall

Town Manager Michael A. Milone

Town Attorney John Knott

Finance Director Diane Waldron

Deputy Finance Director James Jaskot

1. ROLL CALL

The clerk called the roll and a quorum was determined to be present.

2. PLEDGE OF ALLEGIANCE

The group Pledged Allegiance to the Flag.

3. PUBLIC COMMENTS

John Andrukevich, 40 Southwick Court, addressed the Council and the Town administration on the issue of the Southwick facility, and thanked them for taking a stand on this issue. 90% of the residents are 55+ age seniors and vulnerable. He agrees that no certificate of occupancy should be issued until several criteria are met by the management. He has had problems with his unit, purchased in 2003, and said there should be investigation about the units and unit numbers.

Jane Lyon, 479 Sandstone Circle, commented the Town Charter, Chapter 7, 7-1 Operating Budget (A) Budget Estimates, regarding Board of Education and each department, office, board or commission supported by Town funds submitting estimated and itemized statements of all funds to the Town Manager by February 15th of the current fiscal year. Ms. Lyon read this section of the Charter into the record. Ms. Lyon stated that the BOE sent their proposed budget to the Town Council without the student parking fee. The budget came to the Council which tweaked the BOE budget, sending it back to the BOE. On May 5th (3 months after the February 15th deadline) the BOE reinstated the parking fee at \$125. It seems to her that since this fee was not included in the special budget, and when instituted, it was after the deadline, there could be a violation of the Town Ordinance.

Mr. Schrumm said he would look into this matter with the Town Attorney and respond to Ms. Lyon.

Chairman Orsini moved agenda item 12C to current status.

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

MOVED to appoint Tod Dixon, 34 Barkledge Court, to replace former Councilor Sheldon Dill, as the 1st District Town Council representative.

Discussion

Mr. Carroll stated that the Council is obliged to appoint a replacement for Mr. Dill. Mr. Dixon has a long history of commitment and service on various boards and committee (Planning and Zoning, IWW, and the Board of Education).

Mr. White commented on Mr. Dixon being extremely qualified to replace Mr. Dill, stating he is an excellent choice for the Town Council.

Mr. Schrumm noted that Mr. Dixon served on the Energy Reliability Committee which dealt with the power outages and energy reliability in the Town, and this committee resolved many issues of power problems in Cheshire.

VOTE The motion passed unanimously by those present.

Town Attorney Knott swore in Mr. Dixon as the new 1st District Town Council member.

Mr. Dixon joined the Town Council as the new member and Councilor for the 1st District.

Chairman Orsini appointed Mr. Dixon to the subcommittees on which Mr. Dill served. Mr. Orsini appointed Mr. Carroll as Chairman of the Personnel Committee.

4. **CONSENT CALENDAR**

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

BE IT RESOLVED, that the Town Council approves Resolution #080905-1

RESOLUTION #080905-1

BE IT RESOLVED, that the Town Council approves the Consent Calendar for August 9, 2005 as follows:

- A. Authorization to apply for a Department of Mental Health and Addiction Services Substance Abuse Prevention Grant.

- B. Acceptance and appropriation of a \$12,000 Connecticut State Library Historic Documents Preservation Grant for a records Management survey and shelving units.

VOTE The motion passed unanimously by those present.

5. ITEMS REMOVED FROM THE CONSENT CALENDAR
(none)

Chairman Orsini moved agenda item 7G to current status.

**G. Discussion and action re: Appropriation of \$10,000 and authorization
To execute agreement due to indemnification clause for Chamber
Of Commerce fireworks.**

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

BE IT RESOLVED, that the Town Council approves Resolution #080905-9

RESOLUTION #080905-9

WHEREAS, the Cheshire Chamber of Commerce is raising money to put on a fireworks display at their Fall Festival at Bartlem Park on September 10, 2005, and,

WHEREAS the Cheshire Chamber of Commerce has requested that the Town of Cheshire acquire all necessary permits and execute the contract with the fireworks provider, which would require that the Town appropriate the funds equal to the cost of said fireworks,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council accepts between \$8,000 and \$10,000 from the Chamber of Commerce to the Parks and Recreation Public Gift Account for said fireworks, and

BE IT FURTHER RESOLVED, that the Town Council appropriates from the Parks and Recreation Gift Account an amount equal to said contribution from the Chamber of Commerce, between \$8,000 and \$10,000 for said fireworks, and,

BE IT FURTHER RESOLVED, that the Town Council authorizes execution of the fireworks contract due to an indemnification clause.

Discussion

Mr. Schrumm reported that this matter was discussed at the Budget Committee meeting; it authorizes the Town to go forward with the fireworks display for the Fall Festival; and it makes provisions for the reimbursement of the cost of the fireworks from the Chamber of Commerce.

Mr. Milone noted that the range is between \$8,000 and \$10,000, and the resolution is that the Town will appropriate up to \$10,000, whatever amount is

raised by the Chamber of Commerce. If the Chamber raises \$9500, then the Town will appropriate \$9500.

With regard to the community pool being opened for the day of the Fall Festival for a community pool day event similar to June 25th, this will depend on the size of the fireworks, and where it is set up at Bartlem Park. The Fire Marshal must cordon off about 400 to 500 feet radius from the point of the shooting of the fireworks, and this could impact swimming at the pool that day. Shooting the fireworks at the back of the park affects Strathmore Woods residents; if it is at the front of the park, it affects the pool.

Don Wileski, member of the Chamber of Commerce Executive Board, co-chairman of the Fall Festival, thanked the Town for cooperation and joint venture with the Chamber on the festival. He advised that the Chamber has raised about \$9000 to date. The Atlas Company will do a display for this amount of money. He noted that many community members and businesses have been generous with donations, especially Hines Hardware. Any additional funds over \$10,000 will be placed in an account for next year's festival.

With regard to closing the pool, Mr. Adinolfi asked whether the fireworks could be set up at the high school permitting the pool to remain open.

Logistically it is too late to embark on that suggestion, and Mr. Milone explained it is uncertain what the school system has planned for the fields that day. Also, parking at the high school is needed for the festival. Shooting at the rear of Bartlem Park has a good viewing area, and Mr. Milone does not believe the high school location is doable, and they should be at the park.

VOTE The motion passed unanimously by those present.

6. OLD BUSINESS

A. Discussion and action re: Adoption of the 20% by 2010 Energy Conservation Program.

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

BE IT RESOLVED, that the Town Council approves Resolution #080905-2

RESOLUTION #080905-2

BE IT RESOLVED,

WHEREAS, the Cheshire Town Council promotes energy conservation and the study of the use of clean, renewable energy sources, and

WHEREAS, the U.S. energy needs are expected to grow by 33% over the next 20 years and clean renewable technologies are available that can generate and be distributed within the U.S., and

WHEREAS, the Connecticut Legislature has mandated the creation of a clean and renewable energy option for consumers who will be able to sign up for such options on their electric bill; and

WHEREAS, clean, renewable energy technologies – such as wind, solar, low flow water turbines, methane, and wastewater residuals (Connecticut Class 1 renewables) are constantly replenishing themselves, are reliable, clean, safe and affordable, and if properly managed, will be able to serve our energy needs forever; and,

WHEREAS the Cheshire Energy Commission has consulted with the Clean Energy Fund and reviewed information on the State's 20% by 2010 Campaign as well as the electric companies Smart Power initiatives; and

WHEREAS the Smart Power 20 % by 2020 campaign is a Connecticut not-for-profit initiative that has undertaken an effort to encourage community action in support of putting Connecticut's customers on a path to having 20% of their energy supply come from clean, renewable energy technologies by 2010;

NOW, THEREFORE, BE IT RESOLVED, that the Town Council recognizes and supports the goal of the Smart Power, 20% by 2010 campaign; and

BE IT FURTHER RESOLVED, that the Town Council directs the Cheshire Energy Commission to publicly promote its recommended strategy to private customers to meet the 20% by 2010 goal; and to investigate the purchase of Renewable Energy Certificates (REC's) and/or on-site renewable energy installations and funding support opportunities.

BE IT FURTHER RESOLVED, that the Town Council hereby adopts the goal of making at least 20% of its municipal energy purchases come from renewable energy sources by the year 2010, and encourages the Town Manager to undertake further energy and fuel efficiency measures, and

BE IT FURTHER RESOLVED, that the Town of Cheshire encourages all businesses, institutions, and households within the Town to adopt the goals and purpose of promoting clean renewable energy in our Town by purchasing energy through the Connecticut Clean Energy Options program or other Connecticut Class 1 Renewable Energy Suppliers to advance this program.

Discussion

Mr. White explained that this is basically a non-binding motion, with a small cost, and there is no obligation on the part of the Town. The Energy Commission has been looking at this initiative for the last year, trying to encourage government, households and other organizations to get involved in the energy savings campaign. The resolution encourages the Town Government to become involved, and if Cheshire approves this motion, the Town will become the 15th town in Connecticut to participate. On a personal level, Mr. White said he has signed up for the program, and considers it a worthwhile endeavor for the Town.

Mrs. Visconti commented on this being a wonderful opportunity to show support for conservation of energy, and asked what the Energy Commission has in mind for the publication of the program.

Carol Wilson, Energy Commission member, said they are working with the faith community, Chamber of Commerce and any organization where several people can be reached. For every 100 customers (1 point per customer) signing up for the program, the Town will receive a 2kw system, worth about \$10,000. The support of the Council is needed for this campaign.

Mrs. Visconti asked where the solar panels received by the Town would be installed, and the cost of the campaign.

Mrs. Wilson said they must go into Town buildings, and the schools are the most likely choice so students become aware of energy conservation. Over 5 years the cost to the Town would be \$30,000, or 20 cents per person per year.

The web site is www.smartpower.org.

VOTE The motion passed unanimously by those present.

B. Discussion re: Location of Post Office.

Mr. Milone reported on a letter received from Kathleen Walker, Real Estate Specialist for the Postal Service (copy in Council packets), which indicated that the Site Committee has chosen 1227 Highland Avenue as the location for the new Cheshire post office facility. Although this is not the most desirable location relative to the others considered, it is the only site recommended because other sites near or in the center of Town were above the square footage reasonable costs for the postal service.

With regard to a traffic light at this location, Mr. Milone advised that the postal service has not addressed this matter yet. The postal service wanted a location in the cost area of \$25 to \$35 per square foot, and the most desirable locations in the center of Town were about double or triple that cost. The exact location is on Highland Avenue and Sandbank Road.

Mrs. Visconti commented on the fact that the postal service has tried to work with the community, and she expressed her appreciation of their efforts.

They did work very well with the Town, and Mr. Milone said progress was made with Ms. Walker's involvement, and she was forthright and as cooperative as possible.

Mr. Schrumm said the Town should take a stronger position on the proposed location, even though it is the call of the postal service. As for the issue of the light, it may not be needed since most people will take a right turn out of the facility, rather than a left turn. He does not believe the expense issue was so great that the postal service could not find another location downtown, or closer to the center of Town. This location will be a big inconvenience to the citizens. The Council should go on record stating this is not a good location for the new post office.

Stating he is sure the project will move ahead at the selected location, Mr. Carroll said he is also disappointed in the location, and in the future people will wonder why the post office was located way up in the north end of Town. He believes this is an opportunity which flew out of the hands of the Town.

Mrs. Visconti commented on a center of Town location bringing more traffic to the area. Also, there are growers in the selected area of Town, and more people will be going down that way, and this is a plus for this area.

Mr. White has a strong preference for the post office to be in the center of Town, and said we must make sure that every option was investigated by the postal service.

Although he does not favor the proposed location for the post office, and prefers a center of Town location, Mr. Adinolfi said a few people have discussed the issue with him. They believe it would be a mistake to put the post office in the center of Town because of the congestion. He agrees with Mr. Schrumm and Mr. Carroll that the decision is out of the Council's hands, but that some people will look favorably on the proposed new location.

With regard to a response letter to the postal service, Mr. Milone said he has heard agreement about public safety and the need for a traffic light.

Chairman Orsini commented on understanding that it is a bad decision to pay double or triple the cost to meet the needs of the post office. To try to soften the effect of the new location, the postal service could have a retail satellite location to accommodate the needs of people in the south area of Town for postal business. He would like this included in the response letter to the postal service.

As for the drawings which came to the Town Hall on a new site design, Mr. Schrumm asked why these are coming to the Council as late as last month, why it is directed at the Council and not the U.S. Postal Service. This design could fit on Highland Avenue, down closer to the center of Town.

The question is cost, and Mr. Orsini said that something could be built on other sites, but the triple cost per s.f. is a factor, but this explanation is not on the documents received.

Mr. Milone advised that there was no narrative included with the drawings, and he does not know why it was not directed at the Postal Service, and this question was also unanswered.

One of the drawings has both retail and distribution center in the same parcel in the center of Town, and Mr. Adinolfi said this indicates the dual operation could work.

Mr. Milone will draft the letter to the Postal Service outlining the Council's comments and concerns.

7. NEW BUSINESS

A. Discussion and action re: Proposed Farm Building Tax Exemption Ordinance Section 17-13 (new)

MOTION by Mr. Carroll; seconded by Mr. White.

BE IT RESOLVED, that the Town Council approves Resolution #080905-3

RESOLUTION #080905-3

BE IT RESOLVED, that the Town Council approves the farm building ordinance Section 17-13 (new) as follows:

Section 17-13. Property Tax Exemption for Buildings Used in Farming.

- (a) Pursuant to the authority of General Statutes Section 12-91(c), the Town of Cheshire hereby provides an exemption from property tax for any building, to the assessed value of \$100,000.00 used, actually and exclusively in farming, as defined in General Statutes 1-1. Such exemption shall not apply to any residence of such farmer and shall be subject to the application and qualification process provided in General Statutes Section 12-91(d).

- (b) This ordinance shall become effective 21 days after publication for the grant list of October 1, 2005 and thereafter.

Discussion

Mr. Carroll summarized this ordinance which was discussed extensively by the Ordinance Review Committee, which gave it full support. This is an investment in the future of the community.

Mr. Ecke commented on the importance of farming as part of Cheshire's heritage; farms are appealing and good neighbors, and farmers should be encouraged to stay in Cheshire.

VOTE The motion passed unanimously by those present.

B. Set public hearing for Fiscal Year 2005-2006 Annual Capital Expenditure Budget.

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

BE IT RESOLVED, that the Town Council approves Resolution #080905-4

RESOLUTION #080905-4

BE IT RESOLVED, that the Town Council will hold a public hearing at 7:30 p.m. Monday, August 22, 2005, in the Council Chambers, Town Hall, 84 South Main Street, Cheshire, Connecticut, to consider the proposed Annual Capital Expenditure Budget for Fiscal Year 2005-2006, and to consider the issuance of bonds, notes and temporary notes to finance certain appropriations within said Annual Capital Expenditure Budget; and the portion of the hearing pertaining to sewer construction will be a joint hearing with the Water Pollution Control Authority, in accordance with Section 7-247a of the Connecticut General Statutes, and

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

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

Discussion

Mr. Schrumm explained that this is a public hearing on the annual CEP; meetings have been held in the past few weeks, with more scheduled for the coming weeks, and the public is invited to attend all these meetings.

VOTE The motion passed unanimously by those present.

C. Discussion and possible action re: Proposed Amendment to the Police Retirement Benefit Ordinance Section 2-164(b)(2).

MOTION by Mr. Carroll; seconded by Mr. Dixon.

MOVED that the Town Council approve Resolution #080905-5

RESOLUTION #080905-5

BE IT RESOLVED, that the Town Council shall hold a public hearing to consider a proposed amendment to the police retirement benefit ordinance Section 2-165(b), and

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

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

Discussion

Mr. Carroll stated that this has matter has been discussed by the Personnel Committee in the past weeks, and the change in the ordinance is intended to cover an oversight of the original ordinance. The language before the Council on this ordinance is new, recommended by the Ordinance Review Committee and Personnel Committee. It should be reviewed by these two committees before the public hearing.

VOTE The motion passed unanimously by those present.

D. Discussion and action re: FY 04-05 Budget Transfers.

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

BE IT RESOLVED, that the Town Council approves Resolution #080905-6

RESOLUTION #080905-6

BE IT RESOLVED, that the Town Council approves the F.Y. 04-05 Budget Transfers as presented and attached.

Discussion

Mr. Schrumm stated that this is the finalization of the FY 04-05 budget with transfer of funds within line items in the budget. The total transfer is \$107,500.

Mr. Adinolfi asked about not taking money out of the Workers Comp account, but out of Contingency, and how this would be done.

It was explained by Mr. Milone that the money was not spent (pages 2 and 3 of the report), and details are included in the summary. Workers Comp insurance came in under budget, and \$20,000 was absorbed in other areas of employee benefits accounts.

In response to a question from Mrs. Visconti on the PILOT payment for the Legion of Christ, Mr. Milone advised that this would be forthcoming in FY 06-07 and would be about \$160,000 to \$170,000 in revenue.

Mr. Schrumm commended Town Manager Milone, Finance Director Waldron, Deputy Finance Director Jaskot and the Town staff for their excellent work on the budget and financial report. Cheshire is closing out the fiscal year with a +\$1 million surplus, the largest in many years. Some of this surplus has been allocated to the FY 05-06 operating budget. The WPCA account has a \$153,000 surplus and the Pool Account has a \$7000 surplus.

VOTE The motion passed unanimously by those present.

E. Discussion and action re: Authorization to reserve \$258,814 from the June 30, 2005 fund balance for Debt Service.

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

BE IT RESOLVED, that the Town Council approves Resolution #080905-7

RESOLUTION #080905-7

BE IT RESOLVED, that the Town Council authorizes the Town Manager to reserve \$258,814 from the June 30, 2005 Fund Balance for Debt Service.

Discussion

Mr. Schrumm explained that this is an accounting detail which must be done annually to satisfy the audit. This is a recognized savings of \$258,814 set aside for debt service reduction. This money is not part of the \$1 million surplus.

VOTE The motion passed unanimously by those present.

F. Discussion and action re: Allocation of \$13,025 from the Capital Planning Account for a telephone system consultant.

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

BE IT RESOLVED, that the Town Council approves Resolution #080905-8

RESOLUTION #080905-8

BE IT RESOLVED, that the Town Council allocates \$13,025 from the Capital Planning Account for a telephone system consultant.

Discussion

Mr. Milone advised the Council that the current telephone system is antiquated; there are 5 satellite facilities working with different phone systems; there are no additional lines to tie into; and there is inadequate storage within the system for messages. The plan is to hire a consultant to look at the system, advise what can be done to be more efficient, and to have one integrated system for all Town departments. In the CEP 06-07 there is \$150,000 requested for a new telephone system. Before a new system can be installed the Council would have to award the contract for the total communications system.

This was discussed at the Budget Committee meeting, and Mr. Carroll noted that phone systems are complicated; this is a big ticket item; and the recommendation for a consultant for the Town and BOE will be an important consideration.

Mr. Adinolfi said he has looked at the proposal, and believes that a study could be done on our own. He has assisted with the State Legislature, Connecticut Natural Gas and Stanley Works with new phone systems. There is other expertise available, including Mr. Dixon, and others in the community. Mr. Adinolfi said he does not see the need to hire a consultant at \$26,000, and more research should be done before going forward with this expenditure.

Mr. Adinolfi asked if the Town owns the current system and is under a contractual deadline.

Ms. Waldron replied that there is no lease agreement for the equipment, but there is an annual maintenance charge for the equipment, and a new system is not planned for this fiscal year.

Mr. Dixon stated his agreement with Mr. Adinolfi on there being expertise available from Council members, and others locally who could contribute to the study. As for the \$150,000 funding in the CEP, he is not sure this would cover the full cost of a new telephone system.

In response, Ms. Waldron advised that the \$150,000 would be for the Town portion of the new system only, not BOE.

It was noted by Mr. Schrumm that there is nothing in the BOE CEP to implement a recommendation from a telephone study. He asked if this plan would be done with the BOE. Mr. Schrumm commented that maybe there should be a

determination made as we go through the CEP process with the BOE. Without any urgency to this matter, it should be reconsidered.

Stating agreement with the comments made, Mr. White said that the Legal Services Study Committee did a great job with an excellent report at no cost to the Town. The Council should consider using local, in-house expertise, and postpone this expenditure.

Mrs. Visconti concurred with the comments being made, and said it is important for people to know what is going on, how much things cost, problems etc.

As for the time line of the bid, 3 ½ months, Mr. Carroll said he has concerns about getting into the operational issues of the Town and BOE, and he does not want to slow down the study. Town staff do not have the expertise, and the cost of the consultant is relatively small.

Mr. Adinolfi commented that with regard to Mr. Carroll's concern about using volunteers, he believes the study could be completed within a 5 month period given the size of the telephone system. Also, there would be some economies if the BOE and the Town did the new system together. There must be defined requirements, proposals for the new system, and involvement with staff (department heads and I.T. staff).

Chairman Orsini stated there are many companies out there who would want to provide proposals and what can be done for the Town. He needs to be convinced of the value of having a consultant putting word on the street that Cheshire is looking for a new phone system. Mr. Orsini does not believe a Town Council subcommittee needs to be formed to study the telephone system issue. The Legal Services Study Group was appointed without Council members, and there is professional expertise within the Town without going to an outside source at a cost of \$26,000 for the telephone system study.

Following the discussion by the Town Council members, Mr. Milone stated he would be happy to meet with the BOE, Council Budget Committee, have extensive conversations on this issue. He does agree that there is expertise within the community, and the Legal Services Study Group did an excellent job with staff support from many departments.

There are 24 Town buildings with few phone lines to hundreds of phone lines. In order to do an adequate study and analysis of the system, there must be a tremendous amount of collection of information, inventory and data which must be accurate. The staff does not have the time, resources, and ability to do this, and a big part of the study is collection of information. Additionally, it is understanding the organizational structure, how departments inter-relate, what is done together and apart, so it is clearly understood what is needed in terms of a system that will work. Town staff does not have the time or ability to do this.

Mr. Milone does not question that there are people on the Council and in the community with the expertise to do the study, but Town staff does not have the time to give them the information needed to make the recommendation.

The Technology Committee could not believe that the Town was able to accomplish so much in technology with two full-time staff people in that area.

There is a dearth of support staff to give the information needed to get us where we want to go. Also, if the decision were made tonight to hire a consultant, it would be two years, at the earliest, before a new system would be in place. While maybe the current system is not antiquated enough to justify replacement today, at the point when it will be replaced, it will be 2 to 3 years down the road.

Mr. Milone said his biggest concern is that he cannot give the staff support needed to give him the answers he needs. Also, this cannot be done over 6 to 9 months at the convenience of 5 people who want to be a committee. With the Legal Services Study committee, just getting 3 very busy people together is not an easy task. He asked if the Council members and/or other experts are willing to devote 40 hours a week for the next 6 weeks to help with this project. These are important considerations, and why outside help is sought in situations like this. Mr. Milone does not question the fact that there is expertise in Town to do this work, but there are other issues which go into this to make it happen expediently and adequately. The issue can be discussed further at CEP meetings, with Superintendent Florio present, and the Council can get a better understanding of the problems encountered with the inadequate technology being worked with at this time.

It was emphasized by Mr. Milone that an inadequate communications system does affect relationships with the public when messages are lost, messages cannot be returned quickly, information cannot be integrated with other departments, and this effects the dissemination of information.

The RFP was done, 3 proposals were received. The big problem is the resources and the people to do what needs to be done.

Mr. White asked about the RFP process, and why only out of state companies responded.

Ms. Waldron replied that there was one response from Connecticut, one from New Hampshire, and the bids were on the web site and local newspapers. All bids were publicly noticed, and all vendors were sent an RFP as well. Ms. Waldron said she would give the Council a scope of the services, and inventory of the telephone system for the Town and BOE.

Even with a consultant, Mr. Dixon said there will be significant amount of time required from Town staff, and the consultant has less knowledge of the town than he or Mr. Adinolfi.

It was conveyed by Ms. Waldron that the first meeting with the consultant would be with department heads, visiting Town buildings, and this will involve the time of the I.T. staff.

This matter should be discussed further, and Mr. Ecke asked why the BOE would spend \$13,000 without any plans in place to update the BOE telephone system in the near future.

Mr. Adinolfi agreed with Mr. Dixon on taking the time of staff for this project, and if the concern is gathering data about what is installed, he quickly ran some numbers, and we are talking \$2500 to gather data. Also, there could be an inventory of the system from the maintenance company with technician costs of about \$50 per hour. There will be staff time required for participation in the process. In talking about lower taxes, Mr. Adinolfi said we must be creative and do things on our own like this to control lower taxes. He would prefer the BOE pay \$13,000 for an I.A. rather than a phone system consultant. We must think about things a little differently, and he has expertise in this area.

Chairman Orsini stated that the Town Council is not read to vote on this resolution. Mr. Schrumm withdrew his motion, stating the matter will be reviewed by the Budget Committee.

H. Discussion re: Richmond Glen easement/transfer request.

Attorney Anthony Fazzone, representing Brodach Builders, Inc. made a presentation to the Council, stating the Town owns the 15 ft. strip of land at the end of Buckland Drive, which would extend Buckland Drive into the parcel in question. The strip of land was left for access to the abutting property. The parcel is under contract for development for 41 ARD housing units with IWW and PCZ approvals. It is all private roads and PCZ requires an emergency gated access, which is not a through street. On the plans for the proposed development, Mr. Fazzone pointed out the strip of land (in yellow) which the Town owns. The request before the Council is for the Town to deed this strip of land to Brodach for the purpose of creating and maintaining the emergency access way.

In discussions with Town Attorney Knott, one alternative would be for an easement to Brodach Builders to build the emergency access with the concept that the easement would go away if this ever became a public road.

Brodach Builders and the homeowner's association will be responsible for whatever is built in the development. On the map, Mr. Fazzone pointed out the layout of the ARD development going out to Wiese Road, showing the 15 ft. strip

of Town owned land needed for the access way. With this ARD, Buckland Drive would never be expanded as a public road.

Attorney Knott commented on the two options, and said the simple way is to deed away the piece of land intended for future highway purposes rather than getting encumbered with an easement under which the Town would still own the land and maintain it. The Town could deed the fee to the developer, hold a public hearing, get an 8-24 in either case, and it is important for the Council to know whether or not any other person or the Town needed this area for access. Mr. Fazzone addressed this point in his presentation. The Town Manager can request the 8-24 review for PCZ by either granting of the easement or transfer of the fee. The key for PCZ is whether this strip of land is necessary for public highway purposes in the future.

Regarding the map displayed by Mr. Fazzone, there was a question from Mr. Schrumm on the strip of land with the existing cul-de-sac.

According to Mr. Fazzone the original proposal was to extend Buckland Drive into the ARD property, and there would have been a transfer of land to the Town for a public road. Public Works Department did not want to maintain an extra 200 ft. of road without houses.

Mr. Schrumm asked about the second egress being a PZC requirement for the emergency road with access acquired before the 41 units can be built.

Stating that was correct, Mr. Fazzone said the ARDs require a private street per PZC regulations, and this is required for alternate ingress and egress.

Mr. Schrumm asked why this was not brought forward to the Council earlier.

In response, Mr. Fazzone said this was an alternate proposal midway through the PZC process and less impact on the wetlands.

With the road owned by the homeowner's association, Mr. Schrumm asked if the association, down the road, did not maintain the gate and access road becomes a de facto exit onto a quiet residential street. Who will police the gate to keep residents out of a private development exiting the access way.

Attorney Knott commented on the south end of town situation where the special permit for the development requires two means of access, and without permission it was gated by the association to the point there was no emergency access. A cease and desist order has been issued. With the current situation, the special permit has conditions which would require this emergency access to be gated, and if there were violations, the ZEO has the ability to issue a cease and desist order, and insure it goes back to what was stipulated in the permit.

Mr. Schrumm stated he wants to see legal size copies of the maps of the development before disposing of Town owned land and insure enforcement can be done.

This is a condo project, and Mr. Fazzone said one of the approval stipulations is establishment of a homeowner's association before the first certificate of occupancy is issued. This is a private road, not Town owned streets, and in this case the necessity of a homeowner's association is there to maintain the roads, yards, and it will be an active governing body. The only people with access to open and close the gates are the Town's emergency services, and the gates would be operated by a siren.

Mr. Adinolfi said this development is private, and asked what is on the drawing of the approved PZC plans and what assumptions were made by PZC, and what input was received from Buckland Drive residents.

This plan is Alternate D, approved by PZC with a 20 ft. emergency access through the strip of land owned by the Town. Mr. Fazzone reported that Buckland Drive residents were opposed to extension of their cul-de-sac into the ARD property. They unanimously support the 20 ft. wide emergency gated access.

In response to a question from Mrs. Visconti on people walking around the gates, Mr. Fazzone said there would be a connection to Buckland Drive around the gate for walking.

Chairman Orsini summarized what the Council would require to approve this transfer of land to the developer – an 8-24 Review from PZC, and referring this matter to the Town Council Planning Committee for further study.

I. Discussion and action re: Waiver of sign regulations for “One Book, One Town” banner.

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

BE IT RESOLVED, that the Town Council approves Resolution #080905-11

RESOLUTION #080905-11

BE IT RESOLVED, that the Town Council, pursuant to Connecticut General Statutes, Section 8-2, waives the sign regulations to allow for a banner promoting “One Book, One Town” to be placed above and across Main Street by the Library for the duration of the program.

Discussion

Mrs. Visconti stated that signs are effective and get public attention, and she thought that this could be done in Cheshire as in other towns to promote the program. A member of the committee is a librarian at the Cheshire Correctional Facility, and with the Prison Advisory Board, is willing to ask the prison people to do the banner for the Town.

Following a brief discussion on the wording of the motion, it was decided that it should read as follows:

....to be placed at a suitable location as determined by Town staff"....

If the banner is placed on Town owned property, Mr. Milone said it removes any obstacles in placing the banner on utility poles.

Chairman Orsini spoke to the Chairman of the PZC about the Council taking action on waiving the sign requirements, and Mr. Maidelis did not see a problem with the Council taking up this issue.

Attorney Knott advised that this is authorized by statute; the Council can exempt itself from the zoning regulations completely or by specific use.

Before the Council vote, Mr. Adinolfi thanked Mrs. Visconti for bringing this issue to the attention of the Town Council.

VOTE The amended motion passed unanimously by those present.

J. Discussion and action re: Authorization to execute purchase Agreement for 15.26 acres abutting Town owned property on Cook Hill Road (possible executive session).

MOTION by Mr. Dixon; seconded by Mr. Schrumm.

BE IT RESOLVED, that the Town Council approves Resolution #080905-12

RESOLUTION #080905-12

BE IT RESOLVED, that the Town Council authorizes the execution of a Purchase Agreement for 15.26 acres abutting Town Property on Cook Hill Road by and between the Town of Cheshire and Lori L. Morin, all of Cheshire, Connecticut, per the terms and conditions presented, and

BE IT FURTHER RESOLVED, that the Town Manager or his designee, and the Town Attorney as appropriate, are authorized and directed to execute on behalf of the Town said Agreement in the form and upon the terms and conditions as presented at this meeting, and to execute and deliver such other certificates or

instruments as may be necessary or appropriate to consummate said Agreement, and

BE IT FURTHER RESOLVED, that a copy of the Agreement, as executed, is hereby incorporated by reference as part of the minutes of this meeting.

Discussion

Mr. Dixon stated his support of acquisition of open space, and this space abuts current Town owned land.

Attorney Knott advised that there is a signed agreement by the seller; an 8-24 review has been received from the PZC; and his recommendation is to approve the resolution, with Town Manager Milone signing the agreement upon approval.

Mr. Schrumm commented on the fact that the owner of this property came to the Town with the desire to preserve this family owned land.

Attorney Knott said the owner had other proposals which were secondary, and would have accepted them, but wanted the Council to agree to the purchase.

Public Comments

John Andrukevich questioned the cost of this land purchase.

This is an agreement, and Chairman Orsini explained it is not made public until the Council votes on the resolution.

On the advice of Attorney Knott that the Council, which was not in executive session, could disclose the purchase price, Chairman Orsini said the cost of the 15.26 acres was \$175,000.

Regarding the taxes on this purchase, Mr. Andrukevich asked what the effect of lost taxes would be.

This is designated farm land, and Mr. Milone said it was assessed at about \$3,000, with taxes of about \$20 maximum. The concern for the Town is that, if developed, this land would generate more taxes and result in a number of residential homes.

Attorney Knott reported that the current assessment with farm land deduction is \$2880; estimated full assessment with excess land would be about \$327,000.

Mr. Andrukevich calculated that the total cost to the Town with this purchase of land is about \$275,000 with the farm building tax exemption, renewable energy monies, and the cost of the land. This is a cost to the taxpayers.

The money to purchase this property comes from the land acquisition account which has a \$2 million balance, and Mr. Milone explained that the Council is not spending new money to acquire this property. It is taking existing money and spending it.

Chairman Orsini advised that this is the land acquisition funds approved by the voters at various referendums over the last few years.

To be clear on the numbers, Mr. White said the first year of the clean energy campaign cost would be \$2,000, and a total of \$30,000 over 5 years.

VOTE The motion passed unanimously by those present.

8. TOWN MANAGER'S REPORT AND COMMUNICATIONS

A. Monthly Status Report.

B. Departmental Status Reports.

C. Other Reports.

- FY '06 Budget Monthly Report – in the Council packets. Mr. Milone briefed the Council on \$100,000 more in State funds than anticipated. On the expenditure side, Property and Casualty insurance was \$32,000 less than budgeted; Workers Comp insurance came in \$24,000 less than budgeted; Custodial contract is \$30,000 under budget for a 3 year contract. This is a savings of \$86,000.
- Capital Expenditure Plan – meeting August 10th, 5:30 p.m.; August 17th meeting; August 22nd Public Hearing; August 23rd, Town Council meeting for adoption of the CEP.
- Transmission Lines Upgrade Meeting – to be held August 25th, 7 p.m. in Council Chambers; CL&P will do a presentation on some of the options to the Town relative to the height, width of towers and distance between towers. Mr. Milone will summarize this information to the area homeowners, and CL&P will make a formal presentation on August 25th, and then there is 3 weeks in which homeowners can make a decision on what they would like to see regarding the towers. CL&P will also provide each Town affected by the line upgrade with a consultant for up to 80 hours.
- Handicapped Parking Spaces – a resident, Mr. Garner, has noted abuse of handicapped parking spaces in Town, and public education is needed on the use of these spaces. There are 36 spaces in Town buildings, and Mr. Milone will make sure they are properly marked and painted. Mr.

Milone has discussed the issue with the Chamber of Commerce Director and businesses will be requested to make their handicapped spaces marked adequately. The Public Safety Committee will be creating signs to heighten public awareness on the use of handicapped spaces.

- Road Project Status – 1200 ft. of Wiese Road from Academy Road north will be done; Notch Road from Mixville to Plank Roads with drainage and then paving; Mixville Road from Notch Road to Tucker Road will have drainage and reconstruction; then the second half of Summit Road will be completed.
- Route 10 Paving – The State will repave Route 10 from North Brooksvale Road south to the Hamden Town Line; milled asphalt will be used as the base for the reconstruction of Cheshire roads, and the material will be trucked to the land fill.
- Route 42 Paving – this is a State project; RWA is doing the water main installations beginning in the spring of 2006; in FY 2008 the State will reconstruct that portion of the roadway, and wants to repave now rather than have the road deteriorate over the 3 year time span.

Mr. White spoke with a DOT representative about repaving this section of the road, and Rosemary Lane to Broadview Road will not be repaved.

Personnel Vacancies/Hiring – 3 new police officers were sworn in last week bringing the total number of officers to 47. The Town Planner position will be filled within the next four weeks; 19 applications have been received; 7 to 9 candidates will be interviewed by the professional panel. The Environmental Planner position has been posted, but the person will not be hired until the new Town Planner is hired. Police Chief position has been posted with 7 internal candidates, and Mr. Milone hopes to have this filled by mid-September; the candidates will be interviewed by a panel of police chiefs, and then by Mr. Milone.

- Fire Safer Act – After discussions with Fire Chief Casner about this \$200,000 grant, it has been decided not to go forward with this grant application, and it has been tabled.
- CRRA Tour – August 24, 2005, 10 a.m.; Town Council members are invited to participate in the tour. Mr. Milone reported that in 2009 the 20-year agreement expires with the CRRA facility, and the Town must come up with a new agreement on handling of solid waste.
- 9-11 Service – The Town will hold a brief memorial service this year on the Town Green, and the schedule for the service will be coordinated with

Superintendent Florio and John White (VFW). It is hoped to have this memorial service annually on the Town Green.

Council comments

Mr. Adinolfi asked about the CRRA going out of business in 2009, and for clarification on this from Mr. Milone.

In reply, Mr. Milone advised that the Town must come up with an arrangement to handle our solid waste. We could work to extend the existing agreement. The problem is that we have an attractive arrangement for selling all the electricity generated, well above market rates, and we are making a surplus each year under the contract. The contract expires, and takes a significant revenue stream and cuts it by 50% to 70%. While we could continue with the current arrangement, the revenue stream would not be there. As a result, other options must be looked at to determine if there is different technology to operate the plant at a lower cost. There has been a multi-town arrangement with Wallingford, North Haven, Hamden and Meriden which has worked very well, and each town is interested in continuing collaboration to create economies of scale. There are many technological variations of things that could be done going forward, and we must think of our future options.

9. TOWN ATTORNEY REPORT AND COMMUNICATIONS
No report.

10. REPORTS OF COMMITTEES OF THE COUNCIL.

A. Chairman's Report.

B. Committee Reports.

Audit – Mr. Ecke reported that the audit has begun, and is going well.

Budget – Mr. Schrumm reported that the CEP meetings are underway.

Solid Waste – Mrs. Visconti commented on looking forward to the CRRA tour.

Planning – Mr. White reported on the 8/09/05 meeting which focused on the land management plans which are to be forwarded to the Environment Commission and Parks and Rec Commission.

Personnel – Mr. Carroll said there would be a meeting of the committee to discuss the police benefit plan.

Ordinance Review - Mr. Carroll said there would be a meeting of the committee to discuss the police benefit plan.

C. Miscellaneous

**11. APPROVAL OF MINUTES
Regular Meeting of July 12, 005; Special Meetings of July 25, 2005
And July 27, 2005.**

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

MOVED that the Town Council approves the minutes of the Regular Meeting of July 12, 2005, and Special Meetings of July 25, 2005 and July 27, 2005, subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports.

Mr. Schrumm commented on the passage of the energy bill which clears the way for Islander East to file in Federal Court to get the natural gas pipe line upgraded. Cheshire may get substantial monetary value in the north end with great tax revenue.

Mrs. Visconti commented on the crash report from the Police Department and requested that Elmwood Drive be made less accident prone.

B. Appointment of Connecticut Tourism District Director for the Town of Cheshire.

MOTION by Mr. Carroll; seconded by Mr. Dixon.

MOVED that the Town Council appoints Sheldon Dill, Executive Director of the Cheshire Chamber of Commerce as Cheshire's Representative to the Connecticut Tourism District, term of office August 1, 2005 to July 31, 2008.

VOTE The motion passed unanimously by those present.

C. Appointments to Boards and Commissions.

Mr. Carroll made corrections to terms of office for appointments to the Youth Services Committee made in April 2005, noting he reviewed them with Mr. Hall.

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

MOVED that the following corrections to appointments to the Youth Services Committee be approved as presented;

Electoral Members

David May – 4/12/05 to 1/31/07

Mario Pannone – 4/12/05 to 1/31/06

Sheila Fiordelisi – 4/12/05 to 1/31/07

Minor Members:

Elizabeth Ruocco/CHS – 4/12/05 to completion of grade 12 (2008)

Kevin Marchand/CHS – 4/12/05 to completion of grade 12 (2007)

Deanna Ferry/Dodd – 4/12/05 to 8/31/06

Greg Maher/Dodd – 4/12/05 to 8/31/06

VOTE The motion passed unanimously by those present.

13. COUNCIL COMMUNICATIONS

A. Letters to Council.

B. Miscellaneous

14. EXECUTIVE SESSION

A. Pending Claims and Litigation

B. Land Transfers

C. Personnel Matters

There was no Executive Session.

15. ADJOURNMENT

MOTION by Mr. Schrumm; seconded by Mr. Adinolfi.

MOVED to adjourn the Town Council meeting at 10:37 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk
Cheshire Town Council