

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON  
TUESDAY, DECEMBER 12, 2006, AT 7:30 P.M. IN COUNCIL CHAMBERS,  
TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

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

Town Manager Michael A. Milone; Town Attorney John K. Knott;

Guests: State Legislators: Rep. Alfred Adinolfi, Rep. Mary Fritz, Rep. Vicki  
Nardello, Sen. Sam Caliguari.

Chairman Hall called the meeting to order at 7:40 p.m.

**1. ROLL CALL**

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

**2. PLEDGE OF ALLEGIANCE**

The group Pledged Allegiance to the Flag.

**3. PUBLIC COMMUNICATIONS**

**A. Recognition of Cheshire High School Marching RAM Band**

Rep. Adinolfi presented The Cheshire High School RAM Band and Band Director  
John Kuner with a Citation from the Cheshire State Delegation in recognition of  
the band's outstanding, undefeated season, culminating in the State and  
Regional Championships.

Rep. Adinolfi also presented the RAM Band and Mr. Kuner with a congratulatory  
statement from Gov. Rell in recognition for the band's selection to participate in  
the Outback Bowl in Florida, and for the band's fine representation of the State of  
Connecticut and the Town of Cheshire, and its many accomplishments.

Chairman Hall presented the RAM Band and Mr. Kuner with a Certificate of  
Recognition on behalf of the Town Council and citizens of Cheshire, and  
extended congratulations to the RAM Band members, directors, parents and  
supporters for the outstanding achievements during this band season with State  
and Regional Championships.

John Kuner, Band Director, thanked the Town Council, Board of Education, State  
Legislators, Gov. Rell and the Cheshire community for the recognition of the  
RAM Band and its supporters. Mr. Kuner stated that the band has won the State  
and Regional championships 4 out of the last 6 years.

**B. Public Safety Commission Report**

Tabled to a future meeting.

**C. Public Comments**

None.

**4. CONSENT CALENDAR**

Mr. Ecke noted that items A and H have been removed from the Consent Calendar which was included in the Council packets.

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

BE IT RESOLVED, that the Town Council approves Resolution #121206-1

RESOLUTION #121206-1  
CONSENT CALENDAR FOR DECEMBER 12, 2006

BE IT RESOLVED, that the Town Council approves the Consent Calendar for December 12, 2006 as follows:

- B. Acceptance and appropriation of a \$35.00 donation from Elizabeth & Russell Ford to the Parks Gift Fund for a brick at the Living Classroom.
- C. Acceptance and appropriation of a \$1,400.00 donation from Norman Peccini to the Parks Gift Fund for a memorial bench in memory of Noreen Peccini.
- D. Authorization to execute a Memorandum of Understanding with the Greater Waterbury Transit District (GWTD) Board of Directors to Jointly apply for a matching Municipal Grant Program for Senior and Disabled Demand Responsive Transportation from the Connecticut Department of Transportation, to be administered by GWTD.
- E. Appropriation of up to \$3,800.00 from the Performing and Fine Arts Gift Account for the purchase of a storage shed.
- F. Appropriation of up to \$2,000.00 from the Performing and Fine Arts Gift Account for the purchase of classroom tables.
- G. Authorization to apply for a Connecticut Clean Energy Fund (CCEF) Community Innovations grant for \$5,000.00 to promote clean energy Awareness and education.

VOTE           The motion passed unanimously by those present.

**5. ITEMS REMOVED FROM CONSENT CALENDAR**

- A. Acceptance and appropriation of a Connecticut Department of Mental Health and Addiction Services Local Prevention Council grant in the amount of \$4,425.00 for underage substance abuse prevention programs.
- H. Acceptance and appropriation of additional funding from the Connecticut Strategic Prevention Framework Initiative grant program \$42,000.00 for underage drinking prevention programs

Mr. Ecke explained that due to controversy about the grant for underage drinking prevention programs (H) at a prior Council meeting, the item should read as follows:

- H. Acceptance and appropriation of additional funding from the Connecticut Strategic Prevention Framework Initiative grant program \$42,000.00 for each of the next three years for a total of \$126,000 for underage drinking prevention programs

The grant is for 3 years, not 2 years, and is for a total of \$126,000.

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

MOVED to accept the items removed from the Consent Calendar, and to amend the verbiage under item H as presented.

Discussion

Mr. Ecke explained that at a prior Council meeting, the discussion on the grant was for a 2 year contract, and that has been extended to 3 years with a letter received from the State of Connecticut. This had to be clarified for 3 years for the commitment for the grant.

Mr. Schrumm questioned the distinction between what is being done now in Cheshire under items A and H, and what will be done under the new programs.

Mr. Milone that under item H, the funding is received each year, and the application identifies the expenses for programming, newsletters, and it also supports the Alcohol Awareness Week in April 2007, along with other related programs. The other grant (A) is a new grant, and is different in that it includes programs heightening parental awareness.

Mrs. Esty said that the (A) grant is also for other substance abuse than alcohol.

Mr. Schrumm stated he was opposed to spending \$84,000, and now it is \$126,000, when Cheshire has prevention programs in place dealing with alcohol issues, the DARE program, etc. He understands this is a serious issue and will

continue to be an issue. But the Town should look at how it is spending the current funding.

Stating that Mr. Schrumm made important points, Mrs. Visconti said we should look at where the money is going and where government works with families, this grant will look at what works and does not work.

Mr. Altieri said that in his school, year after year, students who are 20 to 30 years old and who had drug and alcohol problems, come back and state that they wished there had been programs for them. These programs are one way to assist students and saving lives of children in Town is money well spent. Mr. Altieri also pointed out that sending someone to prison for substance abuse offenses is much more expensive than programs to rehabilitate them.

VOTE           The motion passed 8-1; Schrumm opposed.

**6.     OLD BUSINESS**

**7.     NEW BUSINESS**

**A.     Discussion and action re: Legislative Package**

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

BE IT RESOLVED, that the Town Council approves Resolution #121206-2

RESOLUTION #121206-2

BE IT RESOLVED, that the Town Council adopts the Legislative Package, as presented, with the following revisions:

Discussion

Chairman Hall welcomed the State Legislators – Adinolfi, Caliguari, Fritz and Nardello to the Council meeting.

Mr. Hall stated that the Town Manager presented the Legislative Package to the Council last month. He invited the legislators to respond and comment and advise the Council on the list of objectives in the package.

Town Manager Milone summarized the Legislative Package recommendations which were presented to the State Legislators on behalf of the Town of Cheshire. He noted that the list is not in any priority order.

A. Real Estate Conveyance Tax – Mr. Milone is requesting that the legislators support this tax being made permanent and maintain the current tax rate at \$2.50 per \$1000 of the real estate transaction. Last fiscal year the revenue to Cheshire

with this tax was \$640,000, with \$350,000 direct revenue from the increase in the tax rate.

B. Telecommunications PILOT – Cheshire has an AT&T Switching Station in Town, but a personal property inventory is not required for the telecommunications companies; there can be no audit of the property; and there is a zero depreciation after 5 years. Cheshire is asking that this statute be repealed which allows the State to assess personal property of telecommunications companies, or treat the personal property of these companies in a manner similar to other business personal property. One problem for the Town is that this property cannot be audited as it has with all other businesses in Cheshire. There is no audit of the inventory to determine the accuracy and value placed on this inventory, and the schedule used to depreciate the property depreciates it down to zero. With all other personal property there is a residual value of 20% to 30%. There are serious fluctuations in this grant for Cheshire, and they are unpredictable, with one year receiving more revenue than budgeted.

C. Elderly Tax Relief – this is for support of the elderly homeowner; the State has a circuit breaker at 89% reimbursement which is a loss of \$220,000 to Cheshire; there is a request to increase reimbursement to 100% for the tax loss, consider an increase in the income levels and credits, and provide a 50/50 share of a freeze in accordance with PA06-176.

D. Modify binding arbitration laws – modify the law giving a legislative body a 2<sup>nd</sup> opportunity to negotiate in the event of a rejection.

E. Wastewater treatment plant grant - provide \$500,000 funding to assist in the cost of infiltration and remediation programs for the plant which is being capacity strained. There is an increase of 100,000 gallons per day from the prison facility. There is \$450,000 in the capital budget for remediation of the plant.

F. Barite Mine grant fund program – establish a fund and program to provide affected homeowners with funds to study and remediate the problems from long ago mining done in Town. Town Attorney Knott and Attorney Johnson will work with Mr. Milone to model this after the State's underground storage tank fund.

G. Connecticut Library Reimbursement – increase funding of the reimbursement to meet the costs of the program; it costs \$1.05 per loan, and the Town is getting 21 cents back per loan; Cheshire loaned out 47,000 books last year, and this has a significant impact on the operation of the Library.

H. Water Main Fund – request \$500,000 for water main extension on South Meriden Road from Norton Farms to Bishop Farms.

I. PA 60-80 – this requires notification to residents and non-profit organizations on any changes proposed to land use by creation of a registry. This registry will be time consuming and costly. The Town requests legislation to limit requirements for notice of regulation changes to publication in local newspapers for all proposals for land use applications;

Rep. Mary Fritz addressed the items in the Legislative Package as follows:

- A. She supports the changes made in the real estate conveyance tax, and hopes it will not sunset in 2007.
- B. Rep. Nardello and Rep. Fritz will submit another bill regarding the telecommunications PILOT program.
- C. A bill was received to bring the circuit breaker back to 100%, at a cost of \$2 million to \$3 million. Rep. Fritz is uncertain if credits will grow this time around due to a possible State budget deficit.
- D. Rep. Fritz supports the binding arbitration law.
- E. Rep. Fritz put in a bill for the \$5 per gallon overage at the prison which will equate to \$500,000 for the Town, and she noted that the DOC Commissioner has not made an effort to hold down the flow.
- F. Rep. Fritz would support the mine fund program.
- G. Rep. Fritz supports the Connecticut card program and increase in the reimbursement rate.
- H. The water main line goes to just north of Michael's Greenhouse, and Rep. Fritz is not sure how the line could go to the Norton Farm area on the north side of the road. There could be a problem with SCRWA and the size of the pipes.
- I. Rep. Fritz said she hopes that abutters would always be notified with more than a local newspaper notice.

Rep. Fritz stated she would be on the Planning and Development Committee in the next legislative session. She has included all the towns she represents in the STEAP grants, which has been a help to Cheshire. Getting economic development into a town can reduce property taxes. A bill was also introduced on the renovation of the athletic/band complex at Cheshire High School for \$850,000, and Rep. Fritz suggested that the band uses this complex more than any other activity at the high school.

Rep. Nardello made the following comments on the Legislative Package:

- A. Rep. Nardello expressed support of the continuation of the real estate conveyance tax.
- B. Rep. Nardello said she has tried to change the telecommunications PILOT program, and suggested Cheshire identify towns which are also losing revenue. At a public hearing all the towns could testify about the importance of this issue to the legislature.
- C. Senior Tax Relief and support for the circuit breaker program is supported by Rep. Nardello, but she would like to look at other less costly items, and everything depends on the budget situation at the State level.
- D. Rep. Nardello commented on binding arbitration stating that going back to negotiations is not final; binding arbitration is a finality; and she will not support changes to the law.
- E. Rep. Nardello would seek the funding for Cheshire for the treatment plant because there is a need.
- F. Rep. Nardello supports the establishment of a mine fund program.
- H. Rep. Nardello said she would follow Rep. Fritz on the water main fund.
- I. Rep. Nardello stated agreement with the changes requested. She asked that constituents contact the legislators about any concerns for the Town so they can be presented to the entire legislative body.

Rep. Adinolfi made the following comments on the Legislative Package:

Barite Mine Fund Program – Mr. Adinolfi said that in his district there have been mines found, and he is working to do something at the State level, and has tailored a bill on the mines which is similar to the underground storage tank bill. All mines should be included, and he said there are over 600 in the State. Rep. Adinolfi suggested the Council and legislators request its federal delegates to also submit for grants for the mines.

Rep. Adinolfi stated his support for other items on the list. With regard to the real estate conveyance tax, he gave his word to sunset this tax in 2007, and he would not support extension of the tax.

Sen. Caliguari said he was pleased and honored to be elected to serve Cheshire in the State Senate, and he looks forward to serving the needs of the Cheshire community, and working with the Cheshire delegation. Sen. Caliguari said he has not had the opportunity to study all the issues, but will give them all a thorough review. He reserves judgment on the real estate conveyance tax issue, but realizes towns need this revenue, and he would seek alternative

sources of revenue if the tax was repealed. Sen. Caliguari said he would support full funding of the PILOT program and circuit breaker program, and said that the State of Connecticut fails to honor its commitments made on funding, and the burden falls to the local taxpayer.

Elderly Tax Relief – Sen. Caliguari said that the tax freeze program was a step in the right direction, but the reality is that it is a job which needs to be completed. He will introduce legislation to create a reimbursement program under this elderly tax freeze program. In the past the State had this freeze program, and it was repealed. Since the State has created the burden being felt by seniors and other citizens, it has the obligation to help find a way to fill this breach. He also supports the legislation which Rep. Fritz discussed.

Binding Arbitration – this is an issue which Sen. Caliguari said he has to take a close look at. Last year there was a report that indicated that on balance, binding arbitration is balanced, and he will look closely at this issue.

Waste Water Treatment Plant – Sen. Caliguari supports funding of this grant.

Mine Program – Sen. Caliguari said he would support this program for the Town, along with the other proposals presented in the Legislative Package.

Sen. Caliguari said there is another critical issue to be mentioned, and that is the potential and significant change in ECS funding which may be seen this year. He served on the Governor's Commission on Education Finance, on the ECS Subcommittee, and said that the commission has worked hard looking at the ECS formula, and he expects a recommendation to pull back from the formula all the bells and whistles added as a result of the State not properly funding ECS. Sen. Caliguari believes there will be an increase in ECS funding which will be beneficial to all cities and towns in Connecticut. However, the reality is that the State has a potentially significant budgetary problem, and that will be the context in which all issues will be considered.

Chairman Hall stated that the Council has heard that the State Legislators representing Cheshire support 8 or 9 of the issues in the Legislative Package and they have been actively pursued or will be pursued.

Regarding the real estate conveyance tax issue, Mrs. Esty questioned Mr. Adinolfi about his statement of looking for other sources of revenue if this is repealed.

In response, Rep. Adinolfi said he did not say he would look for other sources of funding, but he cannot support extending the tax further. He made a promise, and this program was put through to have temporary funding for the towns in hard times. Where the funds would come from to make up for this revenue loss remains to be seen, and the budget process must take place first.

Sen. Caliguari said he could not answer Mrs. Esty's question, but he would look at this seriously. He assured the Town Council that anything which makes it harder for the Town of Cheshire to balance its budget is taken seriously by him.

With regard to the Legislative Package as presented, Mr. Schrumm asked a procedural question on whether the Council will further discuss the Town Manager's recommendations and the Council's recommendations. He asked if the Council will pass the list as presented or have further discussion, and if there is an opportunity to discuss other issues than those noted in the Town Manager's list of issues.

After this discussion with the legislators and the Council, Mr. Hall said he wants to further review the Legislative Package, and it can be discussed further by the full Town Council. The issues can also be revisited after the vote in January without any problem.

Mr. Schrumm commented on the water main issue, and the fact that Rep. Fritz said there is something incorrect about this stretch of area, and this needs to be discussed further. Also, Rep. Fritz raised an issue about the athletic fields at the high school, and this is not in the package.

In the past the Council has taken a vote on binding arbitration, made a policy statement, and submitted it to the legislative delegation. Mr. Hall said tonight is the starting point, and some of the items should be further discussed, and the Legislative Package does not have to be acted on at this meeting. With respect to the turf at the high school, Mr. Hall understands that the Board of Education did ask for funding consideration for this issue.

Mr. Schrumm stated that the Town of Cheshire must speak with one voice on all issues, and money at the State level is very tight.

Rep. Fritz commented on the fact that the legislators are around and accessible to the Council on other issues of concern that should be addressed, and this can be done after January. She informed the Council that there will be no bills for legislators to consider before March 2007.

Last month the Legislative Package was given to the Council for review, and Mrs. Visconti said that input was requested. She is pleased that the bill about mines will be submitted by Rep. Adinolfi. The issue is too big for individual towns, and she drew attention to her letter about the mines written to the legislators.

Mr. Ruocco said there has been significant call for reform to binding arbitration laws by many municipalities, not just Cheshire. CCM has been repeatedly calling for reform of these laws, and some organizations and consortiums have been formed (COST) all calling for reforms to binding arbitration. With such a demand for reform, he asked why legislators are reluctant to consider changes and put

the issue on the floor for debate. Taxpayers have no control over 50% of the Town's budget – arbitrated salary awards for the education department.

Rep. Nardello advised that she sat on programs for review, heard testimony on the issue of binding arbitration, and there was no evidence presented to justify changes in the laws. If information was presented to change her mind, she would have done so. She can see no reason to change the laws at this time, and some towns find it works fine.

Rep. Fritz said she was on the committee with regard to binding arbitration; that arbitrators are appointed by the committee; everyone stated there is a balance; and awards are 50/50 split across the state.

Mr. Ruocco asked if binding arbitration is cost neutral and whether the same settlements would be place without arbitration, and if laws are needed to settle negotiations.

In 1979 the State was forced to establish binding arbitration, and Rep. Fritz said people wanted to protect children because of the teacher strikes. The binding arbitration law is the one that is in place to do this.

There was a call for parity for State employees, and Mr. Ruocco said workers were not receiving the same compensation packages as private industry employees. He believes the law has gone beyond parity to a point where public employees are compensated far more generously that people working in private industry. Mr. Ruocco said it is not a bad system; there was a purpose to the system; but it is becoming outdated. It is unconscionable for a teacher earning \$90,000 a year and having guaranteed lifetime medical benefits to go on strike for a 1% difference in a negotiated award.

The Council was informed by Rep. Fritz that teachers in Connecticut do not get benefits for life, and pay the town for what the town pays for their benefits. With regard to comparison of a whole spectrum of occupations, it talked about people with 5 years of education and their earnings in different professions. In Connecticut a person cannot continue to teach without a Master's Degree, and teachers are not out there taking money out of everyone's pocket.

Mr. Ruocco clarified that no one on the Council supported binding arbitration, and that Mr. Altieri abstained from voting on that issue. Stating he has served for the past year on the Governor's Commission on Unfunded Mandates, and binding arbitration is listed as a significant costly mandate. Another issue for the legislators to consider is a requirement that the enactment of any costly, unfunded or underfunded mandate can only be approved by a two-thirds vote of the General Assembly. Mr. Ruocco said this is an idea coming out of the commission, and he asked if the legislators would consider this item.

This is not new, and Rep. Fritz said it has been around several times, and there is a reason why all legislation passed now shows how much it will cost towns across the State. Also, Special Education is considered an unfunded mandate.

Mr. Altieri commented on the issue of the senior tax relief programs, and said that anything the legislators can do to help seniors would be appreciated. He urged the legislators to do everything possible to fund tax relief programs, because this is the top issue with his constituency.

Mr. Orsini commended the State Legislators for a good job on behalf of Cheshire. He noted that the Legislative Package is having its first discussion tonight, and he thanked the legislators for their support. Mr. Orsini raised one item of concern for him – the huge financial disaster in Hartford with the State Legislature not fully funding the State Teacher's Retirement Fund. We are talking billions of dollars. This is not a topic having effect on municipal budgets today, but it will have a direct effect in future years, because of many more teacher retirements coming forward.

This was a big issue in the last session, and Rep. Nardello informed the Council that a large amount of funding was put into the retirement plan. It is not the intent of the State Legislature that this cost be absorbed by the towns, and she would not support this in any way. In the lean years one of the ways the State got by was by not funding the teacher's retirement fund. There was discussion about a constitutional amendment, which Rep. Nardello did not support because it would have to be put before the voters, and it does not address whether or not there would be changes in the retirement package as it was written.

Rep. Nardello said she did commit to work with teachers for an alternative mechanism and there will be discussion on this by the leadership finding a way to do a better job putting away the necessary money into the retirement fund.

Rep. Fritz said this issue had a big push because of what happened with Enron and the fear this could happen with this fund. Last year \$366 million was put into the fund, and the plan is to do this in consecutive years for the next 3 or 4 years to bring the fund up – but not to 100% - because this means that every teacher in the State would have to retire.

According to Mr. Schrumm, a statement was made by Rep. Fritz at another meeting that it does not matter that the teachers retirement fund is only 60% funded because "we will never have 60% of the teachers all retiring at once." Mr. Schrumm said that 60% funded means the State does not have the money to live up to its obligations, and putting in money last year from the surplus is just shoveling sand against the tide that will engulf us. 100% of the teachers will retire and there is not enough money to pay their retirement.

Sen. Caliguari raised the issue of other post employment benefits as being a huge financial budget buster for all governmental entities around the country. He will be looking forward to seeing what legislative initiatives will come forward to assist municipalities deal with this liability in the medium to long term.

Regarding the senior tax credit issue, Mrs. Esty asked if there is any prospect for greater property tax reform; it is not just seniors; it is very destructive to the fabric of communities to have seniors versus young families. It is a known fact that people are not staying in Connecticut after graduation from college, partly because they cannot afford to because of high property taxes.

Rep. Adinolfi said that one of the things to be proposed is that all medical benefits for municipal employees be combined with a State program for health insurance. This will enable negotiation of tremendous savings, and the State will tie this to the towns passing along the same amount of money as property tax relief as a way of reducing the mill rates.

According to Sen. Caliguari the biggest tax relief on the local level is the increase in ECS funding. This is why there will be a serious proposal to increase this funding. Towns are facing a financial crunch as a result of diminishing ECS funding relative to the increases in the cost of education. The ECS Commission understands this and that is why there will be serious proposals to increase the ECS funding.

Over the course of 12 years in the legislature, Rep. Nardello said there have been numerous commissions on the issue of property tax and how to reduce them. There has never been a consensus, and it was found that it is not simply increasing funds to the towns because this does not translate to a property tax decrease. What has been successful is the individual property tax credit, raised to \$500, and this may be the avenue to continue along. The issue of property tax reform is the most difficult to deal with in the legislature. Towns need to come together and bring to the legislature what will work for property tax reduction.

Rep. Fritz said there will be property tax relief next year. She will send a copy of the report on tax relief to the Council.

Mr. White agreed with the comments made by Mr. Ruocco about binding arbitration, and there is a need for reform. Regarding the conveyance tax, he prefers a comprehensive property tax reform, and taxes should be related to one's ability to pay. He would prefer to see towns offering options on taxes, i.e. like the sales tax. Mr. White commented on the Route 42 project being delayed by the State DOT, and asked what the DOT uses for a priority list when a project is delayed. He also wants to see the criteria used in setting the priority list. He heard there is \$1.5 million fund being set up for school safety and he wants to see the criteria for allocation of this money.

In response, Rep. Nardello said she was not aware that the Route 42 project was delayed, and in her discussions with DOT she was told it was to be done by 2009. She requested that Councilors or Town staff contact her so she can contact her DOT people and find out why there is a problem.

Mr. Milone advised that the Council of Governments informed Cheshire of the delay, but the Town has not been formally notified by the DOT. COG notified the Town that the project will now start in 2009, rather than 2008, and Mr. Milone will be sending a letter to the DOT on the matter with a copy to Rep. Nardello.

#### PUBLIC COMMENTS

Ray Squire, 291 Cook Hill Road, stated that binding arbitration is not the problem; negotiation is the problem. His idea of negotiation is to have parties in a room, lock the door, and no one comes out until everything is completed.

Mark Korman, 400 Spruce Street, thanked the Council for its support of the mine issue, working to find a solution with the State delegation's support. He suggested looking at reach back in the bill for those recently affected so they can take advantage of the fund.

Bill Kunde, Park Place, stated the Legislative Package contains things which will help the community – and the commonality between all these items is that Cheshire is asking the State for more money. There should be a look at the cost avoidance programs, cut expenditures as opposed as to asking for more and more. Going forward, something which could be immediately done is to control costs of energy. A few years ago there was a bill with the Education Committee that public schools requiring a retrofit, or a new school, would have energy efficient windows and other programs in place. This never got out of committee, and this is a sad commentary on our ability to govern our State. This needs to be put back in, and infrastructures must be made energy efficient with one to seven year paybacks. Mr. Kunde wants the representatives to focus on this and study what would make a difference. Another part of energy efficiency is waterless urinals in all municipal buildings and the school systems and prisons in Town. The cost of this is little compared to the savings benefits. Mr. Kunde asked for additional help from the State to get this done quickly.

Rep. Nardello said there has been a preservation study on energy efficiency in schools, and it does involve millions of dollars and will be phased in. She will send her report to Mr. Kunde.

Bill Baker, 395 Sheriden Drive, said he is pleased the Council and State delegates are recognizing the long standing safety issues about mines in the State. He is pleased efforts will be made to move forward on this issue. He seconded the request to grandfather in homeowners affected by mines into the bill.

Max Kozozek, 430 Sheriden Drive, thanked the Council and legislators for recognizing the problems with mines and working to deal with the problem and alleviate it.

Mr. Ecke thanked the legislators for attending the meeting, and said they realize the Town is in financial difficulty. An increase in ECS funding will assist tremendously and result in lower taxes.

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

MOVED that the Town Council table the motion to approve the Legislative Package to January 2997 for more input from Council members.

VOTE The motion passed unanimously by those present.

Town Manager Milone thanked the legislators for their support of the Legislative Package. Mr. Milone commented on the proposal to eliminate the motor vehicle tax last year. If it comes up again in its previous form, Mr. Milone emphasized that it was seriously flawed; would have cost Cheshire \$500,000 in lost revenue; the bill used year old inventory for motor vehicles at \$9 million less than current; year old supplemental lists were being used at about \$2 million less than current; and a 97% collection rate when Cheshire collection rate is 98.25%. Also, the money was going to come in over four installments which would affect investment income. Cheshire currently has a single tax payment for motor vehicles. 72% of the tax bills in Town go for motor vehicles, but they only account for 9% of the tax revenue.

Chairman Hall thanked the State Legislators for attending the meeting and participating in the discussion with the Council.

Chairman Hall moved agenda items 7C and 7F to current status on the agenda.

**C. Discussion and action re: Approval of use of Bartlem Park for the Traveling Vietnam Memorial Wall, and authorization for Board of Education to execute a contract with organization providing said memorial.**

MOTION by ; seconded by

BE IT RESOLVED, that the Town Council approves Resolution #121206-4

RESOLUTION #121206-4

WHEREAS, the Board of Education of the Town of Cheshire has requested the use of Bartlem Park for the purpose of sponsoring the temporary display of the "Official Traveling Wall" a scale replica of the Vietnam Veterans Memorial located

in the District of Columbia, pursuant to the terms of a proposed Agreement by and between the Vietnam Veterans Memorial Fund, Inc. and the Town of Cheshire, acting by its Board of Education, and

WHEREAS, the Town Council supports the Board of Education request,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council hereby authorizes the Board to use Bartlem Park, under the direction of the Director of Parks and Recreation, for the purposes of sponsoring the display of a scale replica of the Vietnam Veterans Memorial, located in the District of Columbia, for the period commencing October 31, 2007 through and including November 4, 2007, pursuant to the terms of an Agreement, including an indemnification clause, by and between the Vietnam Veterans Memorial Fund Inc. and the Town of Cheshire, acting by its Board of Education, as that Agreement may be approved as to form and legal sufficiency by the Town Attorney, and

BE IT FURTHER RESOLVED, that all costs associated with the proposed Agreement shall be paid from the Board of Education budget, and any grants and donations.

#### Discussion

Ralph Zingarella, Cheshire High School Teacher and Coordinator of the Project presented the Council with a packet on the proposal and all the details required to bring the "Wall" to Cheshire. After attending a conference in Washington, D.C., Mr. Zingarella learned more about the moving wall and securing dates to bring the "Wall that Heals" for display in Cheshire. The wall will arrive around October 30, 2007, be constructed by CHS students who are guided by volunteers affiliated with the wall, and it will be on display from November 1<sup>st</sup> through November 4<sup>th</sup>, 2007. This is an attempt to honor Vietnam Veterans, and provides an opportunity for veterans and other citizens who cannot get to Washington D. C. to view the wall. Cheshire veterans will be recognized during the event, and there will be dignified ceremonies held. It is hoped that the truck carrying the wall will have a motorcycle escort from the New York line into Cheshire.

At the present time, Mr. Zingarella informed the Council that over 100 CHS students have volunteered their time and effort to participate in this project. A web site has been set up – [www.wall2cheshire.com](http://www.wall2cheshire.com). Veterans groups are willing to work with students in giving presentations about the wall.

With regard to the cost for bringing the wall to Cheshire, Mr. Zingarella reported it will be about \$6,000 to \$8,000, plus the cost of room and board for the people who travel with the wall. A deposit of \$2350 or 50% of the initial cost is required, and contributions are welcome, and some have already come in to defray the cost of the project.

Mr. Altieri hopes that the wall and exhibit will be incorporated into the curriculum of the students and have a connection to the classes. It is truly a great educational experience for the students.

Stating he teaches a course on the Vietnam Era, Mr. Zingarella said the participation of students will provide a civic experience. He provided the Council with e-mail addresses for contact: [vietwall@cheshirect.org](mailto:vietwall@cheshirect.org); and [rzingarella@cheshirect.org](mailto:rzingarella@cheshirect.org).

Mr. White thanked Mr. Zingarella for undertaking this project which is very important and getting high school students involved. He advised that there will be press releases on the event so the public is informed.

Mrs. Visconti thanked Mr. Zingarella for this project, noting that students are fascinated by this type of project. She suggested Mr. Zingarella consider giving a lecture for the entire community on the Vietnam Era and the Wall that Heals. It could be televised on cable access.

According to Mr. Zingarella, Channel 16 is working on a program about the Wall That Heals, and he will participate along with some of the students.

Mr. Orsini thanked Mr. Zingarella for taking the lead on this project, and said that during the time the wall is in Cheshire there will be lectures for the students. There is also an opportunity for discussion groups with the public invited to attend. He asked where and when the wall has been in Connecticut before.

The wall was in Newington about 4 years ago, and Mr. Zingarella said it also traveled to Shelton, CT and Madison CT.

Ray Squire commented on the fact that the 50% deposit is \$2350, and requested people to send donations to Ralph Zingarella at the high school.

Mrs. Esty asked if Mr. Zingarella is not requesting funds from the Council, and if the BOE will provide the funding for the wall to visit Cheshire.

Superintendent of Schools Greg Florio addressed the Council stating that the intent is for the Town to have no outlay of funds for this project, He is confident the funds will be raised, and if necessary, the BOE can request funding from the Peck Jones Fund.

Mr. Zingarella reported that veterans groups in Cheshire have already presented checks to begin the process of fund raising.

John White, 60 Pound Ridge Road, Past Commander of the local Veterans of Foreign Wars and Cheshire Veterans Council asked the Council to support this event on behalf of the veterans in Town. The veterans support this because of

youth education, community building, and this is a Town function for everyone. Local organizations are supporting this project by donations, and Mr. White envisions parents bringing children to see the wall, and this builds a sense of community, American history, and the price of freedom for young citizens. Mr. White requested that the Town Council consider making a donation in support of the Wall That Heals coming to Cheshire.

Bill Kunde, Park Place, said there are no winners of the Medal of Honor, just recipients of the Medal of Honor.

VOTE           The motion passed unanimously by those present.

**F.     Discussion and action re: Waiver of competitive selection process  
For the Norton Energy Improvements Project.**

MOTION by Mr. Altieri; seconded by Mr. Ecke

BE IT RESOLVED, that the Town Council approves Resolution #121206-6

RESOLUTION #121206-6

WHEREAS, the Norton School Energy Improvement Project has been assigned to the Public Building Commission, and

WHEREAS, the Public Building Commission has recently conducted a comparative selection process for design professionals on several similar projects, and has requested that the Council waive this process to allow the Public Building Commission to negotiate a fee schedule with the design professionals chosen from these previous projects, specifically Sivler Petrucelli and Dimitru Petrescu, for the Norton School project,

NOW, THEREFORE, BE IT RESOLVED, that the Town Council, pursuant to Section 2-26(C)(5)(c)1 of the Code of Ordinances, waives the competitive selection process for the Norton School Energy Improvement Project.

Discussion

George Nowatne, Deputy Director of Public Works, represented the Town. Interviews were just held with Petrucelli for the high school windows and Petrescu on the furnace. Both firms will be similar in pricing from the past and PBC should be satisfied with their work done. There will be the initial design phase and then the projects go out to competitive bid for the contractor.

Mr. White noted that this is only for part of Norton School for energy savings, and that more money could be spent. There should be a priority list and payback information on the energy efficiency for the schools.

According to Mr. Nowatne, the cost of the design phase is around 3% to 5% of the entire project, with Petrucelli at about \$3,000 and Petrescu at about \$25,000.

VOTE           The motion passed unanimously by those present.

The Council recessed at 10:02 p.m.

The Council reconvened at 10:07 p.m.

**B.     Appointment of members to the West Main Street Streetscape Steering Committee/Study Group**

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

BE IT RESOLVED, that the Town Council approves Resolution #121206-3

RESOLUTION #121206-3

BE IT RESOLVED, that the Town Council appoints the following members to the West Main Street Streetscape Project Study Group/Steering Committee:

Executive Director of the Cheshire Chamber of Commerce:

Sheldon Dill

Planning and Zoning Commission:

Patti Flynn-Harris (D)

Earl J. Kurtz (R)

Inland Wetlands and Watercourses Commission:

Matthew Bowman (D)

Tod Dixon (R)

Economic Development Commission:

Robert Occhialini (R)

Brian Miller (D)

Public Safety Commission:

Stephen Larson (R)

Jack Altobello (D)

Parks and Recreation Commission:

Karen Bertoni (R)

Paul Fracasse (D)

Beautification Committee:

William Bonaminio (R)

Carol Truluck (D)

Chairman Hall stated that the committee will elect its own chairperson when it meets.

VOTE           The motion passed unanimously by those present.

**D. Discussion re: Petition for changes to Plan of Conservation and Development by W/S Development Associates, LLC.**

Town Planner Voelker and Economic Development Coordinator Sitko were present for this agenda item.

Attorney Knott informed the Council that based on PA06-17 the legislative body of the Town now has a say in changes to the Plan of Conservation and Development. The legislative body (the Town Council) may hold one or more public hearings on the Plan, can endorse the entire Plan or part thereof and make amendments, reject, or submit comments and recommendations to the Planning and Zoning Commission which is not bound by them. The P&Z Commission can render a decision on the Plan without the report, have a public hearing within 65 days on the proposed plan and the Council's comments would be taken under consideration. P&Z Commission

Chairman Hall asked if there was any urgency from the Planning Department for action to be taken before the 65 day time table.

According to Mr. Voelker, the P&Z Commission has 65 days to schedule a public hearing and act thereafter. Considering this time constraint, it would help if the Council were to act as soon as possible because the Commission must hold a public hearing on the Plan and amendments thereto.

Town Attorney Knott stated that once the P&Z Commission holds its public hearing and closes it, it cannot consider any future Council recommendations.

Chairman Hall referred the matter to the Planning Committee of the Town Council. Mr. Voelker and Mr. Sitko could attend the committee meeting and respond to any questions.

Mrs. Esty asked about a time table, noting that the memo from Mr. Voelker indicates that staff has not completed a formal review, and asked if a formal review has been completed.

Mr. Voelker said the formal staff report has been completed and it will be presented in written assessment to the Council, if the Planning Committee chooses that this be done.

Mr. Orsini questioned the language that says the Council can hold one or more hearings, and is required to endorse or reject. To him, endorsement is an advisory decision, with the P&Z Commission making the final decision. If the Council decided to reject, Mr. Orsini asked if that is final, and the amendments to the Plan are off the table.

In reply, Attorney Knott said that the Council comments are all advisory.

Since the Council does not know the language proposed to make changes on, Mr. Orsini commented on the past effects through PZC if land is zoned to allow any type of residential development, this means it falls under the heading of the State's affordable housing statutes. This shifts the burden of applications in different ways because of the residential component. Mr. Orsini said that if this is still the law, there is concern that any changes to zoning in that area of Town by allowing mixed use, including residential, the Town must be sure it is not subjecting itself to any possibility of 100% residential in that zone.

Attorney Knott said that can be done anyway. Residential was taken out of industrial zones because the Town wanted it out, because they don't mix.

Mr. Schrumm discussed the 65 day time frame, and asked if the applicant submitted the application to Planning and Zoning on November 20, 2006, if the clock started running from that date.

Mr. Voelker said their clock started running from the first regularly scheduled meeting of the P&Z Commission, December 4, 2006, for setting a public hearing per the zoning regulations. The proposed amendment to the Plan of Conservation and Development and the Zone Text Change were submitted on the same date. The Council has 65 days to make amendments to the Plan of Conservation and Development. Mr. Voelker commented on the fact that the General Assembly did not anticipate that the Town would receive both proposed amendments and zone text change at the same time. The Council has 65 days to act on the proposed amendments, to make recommendations to the Plan, and the clock is now running for P&Z Commission to hold a public hearing within 65 days from December 4<sup>th</sup> on the proposed amendments and zone text changes.

With regard to the zone text change and changes to the Plan of Development, Mr. Schrumm asked if the P&Z Commission and Town Council have seen these changes. Or, are the P&Z and Council being asked to change the Plan of Development and the text, and in a few months, it is learned what it will look like. Generally, when zone text changes are made, people are given an idea of what this means. Mr. Schrumm asked about the Town seeing the plan, i.e. how many residential units, what type of retail, restaurants, etc. before a decision is made.

Mr. Voelker said it is unlikely these changes will be seen.

In that regard, Mr. Schrumm stated that the Council and Commission are being asked to make the most significant changes to the Cheshire Zoning Map without understanding what we are saying yes or no to.

Mr. Voelker said the Council is not being asked to make any changes to the zoning map; the P&Z Commission will have a two step process and is being petitioned to establish regulations, following which would be a change to the map. No application has been received yet for a change to the map or any

specific site plans or particular property. The applicant will be presenting drawings to the Commission for the map change.

Mr. Schrumm made the point that the Town will not see the plans, but will be asked to accept these changes, without seeing the full potential of what the changes will mean.

Chairman Hall said the Council may not see the plans and impact of the changes. The Council and Commission have two distinctively different functions.

According to Mr. Voelker, a major developer is not willing to commit any money to design. Schematic plans have been seen by the Planning Department, but we do not know what they mean at this time. And no developer will put design money into a project without significant dollars unless they have some idea of being able to move forward. They cannot get tenants to commit to sites without having the ability and knowledge that there will be a policy in place to enable them to do that. Anything seen at this point is not a real plan. The whole process for doing these types of projects is evolutionary. There is an incredible amount of work which needs to be done, and in one year, he and Mr. Sitko and other staff members have put in collectively 150+ hours on this proposal. We are talking about significant design challenges on a certain piece of property, significant analysis to be done on the property, with no commitment from end users, tenants.

Mr. Schrumm stated this is a substantial change, with mixed use and residential, and the Council must put up with the fiscal outcomes of these decisions. When it says "residential" –is it apartments with kids, or age 55 restricted or affordable housing.

These are issues to be discussed, and Mr. Voelker said he does not make the same assumptions regarding multi-use and mixed use projects, and the type of housing that may be in there.

Mrs. Esty stated her understanding in looking at the materials before the Council, is that although there is zoning text changes which may trigger a 65 day period, the Council is being faced with a statute requiring the 65 day clock on amendments to the Plan not starting until presented to the Council. Simultaneously, PZC is going through slightly different time tables having to do with the zoning changes, where they will have to conduct hearings. If the Council does not act in time, the PZC can go ahead and hold their hearing, and go forward with the application, even if the Council sends them nothing.

Mr. Voelker said this was correct.

Mr. White questioned construction of an on-site generator, renewable energy, etc.

In discussions with the applicant, Mr. Voelker said they have reviewed the principles of green design, and this is important to realize because it saves money. This project will have many principles of green design in the site plan and construction.

Mr. Ruocco said he is not sure the Council can advise the P&Z Commission on issues of financial impact. Whatever is being planned is not consistent with the current Plan of Development, and the Town does not approve mixed use in that part of Town now. He believes a public hearing is the way to go on this issue and he suggested the Planning Committee consider this.

The Planning Department has insisted a fiscal impact study be done around a specific project, and Mr. Voelker said without a specific project, there cannot be a study done.

Chairman Hall referred this matter to the Planning Committee of the Council for further review.

MOTION by Mr. Altieri; seconded by Mr. Schrumm.

MOVED that this matter be referred to the Planning Committee of the Town Council.

VOTE The motion passed unanimously by those present.

**E. Discussion and action re: Acceptance of Summer Hill Court as A Town Road.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121206-5

RESOLUTION #121206-5

BE IT RESOLVED, that the Town Council accepts Summer Hill Court as a Town Road, conditional upon the filing of a maintenance bond and recording of the warranty deed for the roadway and the storm drainage and sightline easements, free and clear of all encumbrances.

Discussion

Mr. Milone explained that this street is off Summit Road, 1800 feet beyond Renee Court, and is a cul/de/sac with 17 parcels.

VOTE The motion passed unanimously by those present.

**G. Disclosure of interest by Town Manager**

In accordance with the Town Charter, Section 9-3, Conflicts of Interest, Town Manager Milone informed the Council of his son's employment at Bagelicious via a memo in the Council packets and verbally at this point in the meeting. Over the last 5 years the Council has purchased catered meals from Bagelicious, and expects to continue to do so.

**H. Discussion and action re: 2007 regular meeting schedule.**

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

BE IT RESOLVED, that the Town Council approves Resolution #121206-7

RESOLUTION #121206-7  
REGULAR MEETING DATES FOR CALENDAR 2007

BE IT RESOLVED, that the Town Council, pursuant to the Rules of Procedure of the Cheshire Town Council and the Freedom of Information Act, shall meet in regular session during the calendar year 2007 on the second Tuesday of each month at 7:30 p.m. in Council Chambers, Town Hall, 84 South Main Street, Cheshire, Connecticut. Said regular meeting dates are as follows:

January 9, 2007  
February 13, 2007  
March 13, 2007  
April 10, 2007  
May 8, 2007  
June 12, 2007  
July 10, 2007  
August 14, 2007  
September 11, 2007  
October 9, 2007  
November 13, 2007  
December 11, 2007  
January 8, 2008

VOTE           The motion passed unanimously by those present.

**8. TOWN MANAGER REPORT AND COMMUNICATIONS**

**A. Monthly Status Report – in Council packets**

**B. Monthly Departmental Reports – in Council packets**

**C. Other Reports**

- FY'06 Financial Report – Mr. Milone reported a surplus of \$750,000 because revenue came in over budget. The pool is slightly ahead in terms of revenue, and the next 3 months will be telling because of the unknown utility costs. The Town has a fall back with CCM Energy.
- Transmission Line Underground Project – the project starts in December; there have been meetings with school officials, fire department, etc. because of the disruption involved; the situation is well in hand and Mr. Milone and staff met with the neighbors last week on the situation.
- Department of Corrections meeting – Attorney Knott, Mr. Michaelangelo and Mr. Milone met with Commissioner Lance and deputy commissioner as part of renegotiating the agreement with DOC from October 1990 that established the 350,000 gallons per day limit from the prison facility. Funds for a pumping engine were given to the Town, and for a communications system. It was made clear to Commissioner Lance that things should be revisited at this time, and she understands the problems being created for the waste water treatment plant and the DOC pushing the limits, precipitating the study which must be done on possible expansion of the facility. Mr. Milone must get back to the commissioner, in writing, stipulating the points made, and is hopeful that before the end of the year there will be a renegotiated contract in place.

Regarding the waterless urinals, Mr. Milone said this was discussed with a DOC engineer. They will not work because of their not being vandal proof, and because of the chemicals used.

- Department Gifts – Elim Park has made a generous donation of \$150,000 to the Police and Fire Departments; Cheshire Nursery School Association Inc. made a donation of \$75,000 to the Library.
- Credit Rating/Bond Sale – there is information in the packets on these issues; the bond sale was \$5.5 million at 3.892654%; Cheshire went to an Aa2 rating; this validates the financial health of the community; and Mr. Milone thanked Ms. Ryan, Mr. Sitko, Mr. Jaskot and staff for their efforts. Fitch indicated that Cheshire is on positive outlook, and this means in year #2, if things continue, it is possible the Town will get an upgrade from them.

Mr. Milone expressed a debt of gratitude to the Town Councils, current and past, for this upgrade. The most financial success of the Town has been in the past 2 to 4 years. The fund balance went up by almost two full percentage points in two years; the Town has had two record surpluses in the last two years, \$1.5 million and \$2.1 million; Cheshire has a 99.6% collection rate; debt service declined from 13% of the budget to 11.87%; medical trust fund balance is up to \$1.8 million or 24% of expected claims. Another significant fact is that in the last

few years Cheshire has set aside money for debt service and heart and hypertension reserve accounts.

Mr. Milone stated that it is important to Moody's that in spite of the fact that there has been ongoing leadership changes on the Town Council, which could be disruptive in other communities, there was little change in the director of the Town because of the overall commitment of the Town Council to prudent financial management. Mr. Milone commended the Council and thanked them for their efforts and the right decisions made which strengthened the finances of the community.

- Upcoming meetings – Ordinance Review, December 14<sup>th</sup>, 7:30 p.m. and Elderly Tax Relief Study Committee, December 18<sup>th</sup> at 7:30 p.m.
- Elderly Tax Relief Study Committee Status Report – 5 weeks of information and public feedback have taken place; a draft report is expected by December 21; it is unlikely there will be a final report by January 9<sup>th</sup>; there will be public review of the draft report for comments. Committee Chairman Pelletier will be requesting an extension of the deadline for the final report to the Council to February 3<sup>rd</sup>.
- Town Holidays – Christmas, December 25<sup>th</sup>; New Years Day, January 1, 2007.

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

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

**A. Chairman's Report**

Chairman Hall publicly recognized that this is the last Council meeting at which Town Attorney Knott will be present. Next month, Attorney Dwight Johnson will assume the role of Town Attorney. Mr. Hall commended Attorney Knott and Attorney Johnson for the smooth transition and professionalism during the transition process. Mr. Hall thanked Attorney Knott for his decades of service to the Town of Cheshire, and he will be recognized at the next Council meeting.

**B. Committee Reports**

Solid Waste – Mrs. Visconti is awaiting information on the last bulky waste pickup, Strathmore Dam, Boulder Knoll, and the Plan of Conservation and Development.

Ordinance Review – Mrs. Esty advised a meeting will be held on December 14<sup>th</sup> with agenda items on the feral cat issue and police commission proposal.

Budget – Mr. Ecke informed the Council that the dates for the 2007 budget workshops/meetings have been set. They have been scheduled as follows:

Wednesday, March 14, 2007 Budget Committee Workshop/Meeting; March 20, 2007, Public Hearing; March 21, 2007 Budget Committee Workshop/Meeting; March 22, 2007 Budget Committee Workshop/Meeting; March 26, 27 and 28, 2007, Budget Committee Workshop/Meeting; 2<sup>nd</sup> public hearing on April 3, 2007.

Mr. Ecke thanked Mr. Milone for his hard work and dedication for the bond rating upgrade, and for a job well done.

Audit – Mr. Milone said the audit will be ready this week, with a meeting scheduled in January 2007.

### **C. Miscellaneous**

#### **11. APPROVAL OF MINUTES Public Hearing and Regular Meeting, November 14, 2006; Special Meeting of November 28, 2006.**

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

MOVED to accept the minutes of the **Public Hearing and Regular Meeting, November 14, 2006 and Special Meeting of November 28, 2006**, subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

### **12. MISCELLANEOUS AND APPOINTMENTS**

#### **A. Liaison Reports**

WPCA – Mrs. Esty reported that sewer bills have just been received with a fee of \$290 annually; the back of the bill outlines steps being taken by WPCA to deal with challenges faced with the capacity issues at the plant, and ongoing efforts to look at ways to design a more equitable and fair sewer fee. It is expected there will be a full proposal in the Spring time on the fee structure, with a public hearing held on the issue of sewer bills being tied to usage.

Energy – Mr. White advised that Project 100 deadline is December 20<sup>th</sup>; the commission is applying for a \$5000 grant from CCEF to promote clean energy.

Public Safety – The Town is looking to purchase new radar units and funds from the Elim Park donation will be used for this purchase.

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

**13. COUNCIL COMMUNICATIONS**

**A. Letters to Council**

**B. Miscellaneous**

**14. EXECUTIVE SESSION**

**A. Land Acquisition**

**B. Pending Litigation**

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

MOVED to extend the Council meeting past the 11:00 p.m. curfew to the close of business, and to enter Executive Session at 11:05 p.m. to include the Town Manager and Town Attorney on land acquisition matters.

VOTE           The motion passed unanimously by those present.

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

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 Mrs. Visconti; seconded by Mrs. Esty.

MOVED that the Town Council adjourn at 11:15 p.m.

VOTE           The motion passed unanimously by those present.

**Attest:**

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**Marilyn W. Milton, Clerk  
Cheshire Town Council**

