

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON TUESDAY,
JULY 11, 2017, IMMEDIATELY FOLLOWING THE 7:00 P.M. PUBLIC HEARING, IN
COUNCIL CHAMBERS, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Robert J. Oris, Jr., Chairman; Paul A. Bowman, Vice Chairman; Michael Ecke, Jeffrey Falk, Patti Flynn-Harris, Sylvia Nichols, Thomas Ruocco, Timothy Slocum, Peter Talbot. Staff: Town Manager Michael A. Milone; Town Attorney Alfred Smith; Finance Director James Jaskot; PW Director George Noewatne; Fire Chief Jack Casner; Deputy Fire Chief Don Youngquist, Fire Marshal John Andrews.

Guests: State Representatives Lezlye Zupkus and Liz Linehan, and State Senator Len Suzio. Barbara McWhirter, Chairperson, Charter Revision Commission; Commission Members Kim Cangiano, Matt Levine, Mark Shumilla, Sue Stanley and Kevin Wetmore. Sheldon Dill, Director, Chamber of Commerce; Matt Shay from Atlas Fireworks Co.

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. ITEMS FOR EXECUTIVE SESSION

A. Personnel Matters

B. Land acquisition

Executive Session was moved to the end of the agenda.

4. PUBLIC COMMUNICATIONS

A. Public Comments

B. State Legislative Delegation state budget discussion

Chairman Oris thanked Rep. Linehan, Rep. Zupkus, and Sen. Suzio for coming to the Council meeting to discuss the status of the State budget. Mr. Oris stated it is important for the Council and community to be updated on what is going on regarding the State budget. This budget drives Council decisions and is of utmost importance to the community. The Council wants to provide good information to the public on what is happening in Hartford.

Chairman Oris requested the State Legislators give the facts relative to their perspectives on what is going on in Hartford, and he does not want the session to become a political scenario with back and forth dialogue.

Rep. Linehan stated that Cheshire is her #1 priority. There is a vote scheduled on the State budget on July 18th, but she is uncertain this will happen. The Democrat's budget

is in flux, and is currently being negotiated. She cannot say, for sure, what will become of the State budget, and it may not be known until legislators are called in to vote. Both the House budgets, Democrat and Republican, are looking to make sure the municipalities are held harmless. There are other issues to be looked at for the State as a whole, and both these budgets keep municipalities whole. Her biggest concern is that if a budget is not passed, the State must go to the Governor's plan. Rep. Linehan said if a budget is not passed by September, there will be 60 Cheshire teachers unable to show up for work to teach the students. If a budget is not passed by October, there is no ECS funding for the schools. These are facts. She wants to pass a budget to include these things and the towns are held harmless or take as small a hit as possible. Rep. Linehan wants to keep Cheshire as whole as possible, and get education and municipal funding at the top of her list.

Rep. Zupkus stated agreement with some comments of Rep. Linehan...if something does not happen, each and every town will be in a desperate situation. We know what the cuts will be – teachers cut, teacher retirement contribution by towns, and we don't want this to happen. Rep. Zupkus hopes there is a vote on July 18th but there is nothing yet. She reported that the Republican budget came out today, which holds the town harmless, and gives all the money back to education funding. Regarding the Democratic budget she does not know much about it, but hopes there will be something on July 18th. We all know what the Governor's budget will do to all of us, and we do not want that. It is desperate situation, unfair to the towns not to have information at this point. In Prospect CT, the mill rate went up because there is no prediction on what will happen. This is sad, disappointing and disheartening to Connecticut citizens and town governments. Rep. Zupkus said she will continue to work hard, along with the other legislators, on to get something which is good for Cheshire and Connecticut citizens, without raising property taxes.

Sen. Suzio has initiated contact with town officials, and said the situation in Hartford has magnified the uncertainty at the town level, and it is important for local officials and people to be updated, know what is going on in Hartford, and why it is going on. Sen. Suzio addressed two points. First, is why the Legislature has failed to adopt a budget, and second, what budgets have been proposed and their implications for Cheshire. He explained the process in Hartford. The legislative leaders, Speaker of the House and President Pro Tem of the Senate, must agree on an item called for debate and vote in the respective Legislative Chambers. This was denied during the regular session; the House Speaker did not call for a budget to be voted on even though the Governor had presented a budget and Republican State Senate Caucus had presented a budget. A "budget" is a detailed, line by line, budget of over 1,400 items. Two budgets were presented; both the Governor's and Republican budgets were vetted by the non-partisan office of Fiscal Analysis; and the Republican budget was broken down town by town with implications. Unless and until the House Speaker and President Pro Tem agree to call for a vote there will not be a vote on any budget. The rules of the Legislator prohibit that. Right now, we are talking about July 18th, for a

session, with uncertainty there will be a session. The President Pro Tem of the Senate, Sen. Looney, has not indicated whether he concurs with calling emergency certification required on his part to even convene a session next week. Sen. Suzio said the budget may go into September unless there is great public pressure on the leadership, and they capitulate.

Sen. Suzio is familiar with the Governor's budget and the Republican budget, both of which are detailed. He passed out specific information which focused on total aid to the Town of Cheshire in these budgets. Under the Governor's budget there is a cut to Cheshire of \$9.4M in State aid. Additionally, under the Governor's Executive Order, there is a penalty of \$12.4M to the Town of Cheshire in State aid. Working under the executive order, the Town of Cheshire is being punished on a large, incredible basis. Under the Republican proposed budget, with respect to aid in FY 2018, Cheshire would get \$432,000 more than in 2017, and \$843,000 more in FY 2019; this is \$1.4M in aid over the next two years, totaling \$10.7M more than what the Governor has proposed. Sen. Suzio said the Republican Senate budget increases funding for Cheshire, whereas the Governor's budget cuts it by \$9.4M. This information represents the range of extreme possibility. The Senate Republican proposal has no tax increase to all cities and towns and maintains State aid. Sen. Suzio believes the final budget will come to that, because it can be done, and the detailed Republican budget shows this on a line by line item basis.

The one condition of the Republican Senate budget is the SEBAC deal that has been proposed and negotiated by the Governor. It would realize about \$1.5B in savings over the next two years. Unfortunately, when the Governor initiated discussions about SEBAC, it would have been adequate combined with other identified savings. When the bad news came in April about declining tax collections, it exacerbated the deficit by over \$1B, and the SEBAC deal negotiations were changed. They were still being conducted on the original premise of the budget deficit at that time of initial discussions. When the Republicans revised their proposal, in April, in light of the growing deficit, it was assumed the SEBAC deal would assimilate 43% of the deficit, as \$1.5B is about 43% of the estimated deficit. If it stays at 43%, the other 57% must be found in savings, and the Republicans did this by going into every nook and cranny of the budget to avoid a tax increase. Under the negotiated SEBAC deal, if approved, there is no State employee layoff plan, and this is extended to another 5 years out to 2027. With this deal, there is no choice but to raise taxes. It was pointed out by Sen. Suzio that in 2011 the State raised taxes twice; the two biggest increases ever in the State; and more than the implementation of State income taxes in 1991. The State deficit is worse, by far, than when Gov. Malloy took office in 2011. This tells Sen. Suzio that tax increases are not the way to go...they are just exacerbating a bad problem...and the State must get hold of its spending. If we start relying on tax increases again, we are repeating the mistakes made over the last six years, with things getting worse in Connecticut.

Rep. Zupkus commented on the need for the Town Council to get budgets from the State by April 1st each year, in order to do its work. And, State mandates placed on the towns must also be looked at by the legislators.

Rep. Linehan agreed Rep. Zupkus. She wants everyone to understand that we need to look at the budget as a whole, in addition to what it means to our towns. She would like to say there can be more money to Cheshire even in the middle of a fiscal crisis. To get there means reducing clean energy, income tax credits, etc. and getting extra money comes at a price. It is recognized that municipal aid is a direct benefit and impact on property taxes, which is the most regressive tax. Rep. Linehan said the numbers from Sen. Suzio are a bit unrealistic; we must temper some expectations; and legislators agree they want to hold all towns harmless.

Councilor Slocum said his expectations are very low. He thanked Sen. Suzio for the information he submitted. Mr. Slocum noted much of this legislative session has been spent on legislative action at the expense of serious budget discussions. The position and concerns of Cheshire have been known for some time, and this has been expressed to the legislators, but nobody listens. Any budget that is hamstrung by a labor agreement does not allow opportunity for a Governor to make reductions in this labor force or in any other area or oversight. This tells the public that we are dumber than we are. We know the budget must have cuts. The Council knows it will not turn around and approve a five (5) mill increase to taxpayers so things in Cheshire can remain the same...it will not happen. Mr. Slocum stated the Council will be forced to look at and discuss every budget line item...dump trucks, drivers, teachers...and say this can't go on. The property tax was called a regressive tax, and Mr. Slocum said it is what we have, and the public is still taxed. He does not want to collect a local sales tax for a percentage of a store's income to the town, to save a truck or a job, as this is not the way to do things. Mr. Slocum is prepared to make cuts as a Council member and levy new taxes, but not up to five (5) mills. It is also dumb for the legislature to say it all goes away because they raised taxes.

According to Rep. Linehan the members of both delegations do not want to raise taxes, put the burden on the local councils, but this is the reality in the midst of negotiations. She is a good voice at the Capitol for Cheshire and will continue to support the town.

Councilor Talbot thanked the legislators for their service and work they perform. Taking the glass half full side of the budget issue, and hearing what the legislators have stated, he has some optimism. In hearing what was said, the Governor's budget is not the option the legislators want to see...and he does not want to see this budget. Mr. Talbot is encouraged by the legislators putting forth budgets, and looking at each other's work. He suggested their coming up with a hybrid/compromise budget that accomplishes the goal of the communities for which they work, and is able to take care of the bottom lines of the State. Mr. Talbot expressed his concern about the Senate being 18-18, and being a different story than the House.

One of the by-products of the evenly divided Senate Chambers was cited by Sen. Suzio, who reported there were more thoughtful deliberation issues, with no one side running anything through on a partisan basis. According to Sen. Suzio there is no reason why there should not be a session next week and a vote on the budget. The Republican budgets already have changes made, and he said there is a need to start budget debate in earnest. The Democratic budget is a work in progress, and debate on the budgets must begin, because delay is no longer acceptable.

It was stated by Rep. Zupkus that the budget should be the first order of business for the State Legislature. When people are concerned about issues, they come after the fact. In the private sector, a budget is how you build a company and move forward, and it should be the same for the State.

The issue of 60 Cheshire teachers was raised by Mr. Ruocco who asked if this is realistic.

In response, Rep. Linehan cited the fact that 60 Cheshire teachers did receive notice their contracts would not be renewed until the State budget is settled. As of right now, without a State budget, Cheshire will start the school year with 60 fewer teachers.

Mr. Ruocco said that 60 town employees could be cut to total 120 employees, and doing that we would not have to raise the mill rate. What is being stated may not happen, and Mr. Ruocco said the Council may want to reduce staff, but Rep. Linehan says layoffs are not the answer, and the Council may feel differently. There may not be a dramatic increase in the mill rate...maybe spending must be cut by enough to offset a large piece of this. All the legislators need to manage the State first before trying to manage town council actions or what their actions might be. It was noted by Mr. Ruocco that there could be laying off staff but we can't raise the mill rate by \$6 million.

It was explained by Rep. Linehan that it would be equal to a mill rate increase or a reduction staff including education. This is what the Superintendent told her. She asked for numbers as to what it would mean in a tax increase to the mill rate, and was told it would be 60 teachers laid off.

Mr. Ruocco suggested that the entire State employee work force be enrolled in a 401K or 401-3B plan, with grandfathering of current employees.

Rep. Linehan said this is talked about. SEBAC is going to a hybrid plan, and this is part of the SEBAC agreement, and it would pave the way to get away from the pension system. She does not know if this will happen, but was part of the discussions.

A question was asked by Mr. Ruocco about a proposal or discussion to reduce corporate or individual tax rates. Connecticut is #33 in the nation for doing business and the issue was taxes and regulations, which hurts the business climate. Many things

could be done that are not union related, i.e. lower tax rates, make Connecticut a more attractive place, and stimulate the economic growth.

Chairman Oris stated this is a forum to get information, and asked for the website to access information from the Democrats and Republicans...and noted no one is interested in the Governor's budget.

A copy of the Republican budget proposal was given to the Council by Rep. Zupkus. She also expressed agreement about businesses and people leaving the State. The Republican web site is www.cthousegop.com/budget.

The Council was told by Rep. Linehan that the Democrat's budget is still in flux, and there is no web site. She reported the Commerce Committee has passed many bills rolling back regulations on businesses, making it easier to do business in the State. There are new programs being created to get businesses to come to Connecticut. With regard to GE, they moved to Massachusetts, and Aetna went to New York City for the better talent pool. Some of her concerns, in addition to a better tax structure, are that Connecticut is no longer an interesting state to visit. Young people want vibrant urban centers, entertainment, transportation, and she noted we must stop the "brain drain". The Commerce Committee has a "learn here, live here" program, which takes anyone graduating from a Connecticut college, keeps them in the State for 10 years, and then they get an income tax rebate to help with a down payment on a house.

Stating his agreement with the down trend, Mr. Ruocco acknowledged people are moving out of Connecticut...young people, retirees, and the need for jobs for young people, and ways to retain businesses.

Connecticut has a rich history in manufacturing and Rep. Linehan is working with local manufacturing companies to get talent to fill positions.

Sen. Suzio cited his website for the Republican budget – [www. sensuzio.com](http://www.sensuzio.com) – click on resources for the link to the detailed budget. Sen. Suzio requested everyone either e-mail or call the Speaker of the House and President Pro Tem of the Senate, stating that delay is no longer acceptable on the budget. There is enough documentation to start a debate; this is the most important issue of the year and deserves robust discussion. This is the beginning of the process to lead to conclusion on the important topic of the State Budget.

Councilor Flynn-Harris agrees with Sen. Suzio's suggestion. She said the onus is on the Democratic party to get its budget out. This is one year that is difficult, and bipartisanship must be shown to get something done for State. Both parties must be involved, and people must call their State Legislators.

Councilor Ecke is frustrated with the State telling municipalities how to run their town governments. Cheshire is a better organization than the State of Connecticut. The

town has changed pensions for many years, dealt with spending, and any cut in State funding will be an increase to the taxpayers. Mr. Ecke cited the fact there is no fluff left in the town budget. This current Council works very well together. Another frustration with Hartford is no conversation, no Democrat and Republican sitting together, coming together, for the sake of the State. Until that happens, it will be an issue two years out. Cheshire may lose 50 to 60 teachers, resulting in \$2M to \$3M savings, but it is also State income taxes not collected. Mr. Ecke said Connecticut is in a death spiral, and until a way is found to get out of it, this will be a perpetual problem for decades to come. He does not know if SEBAC is the problem, unions, but knows it is many things lumped together. Every town is under pressure; property values are declining; people are leaving the State; but, taxing is not the way out of the problem. Cheshire wants to keep the community as it is, and Mr. Ecke said the best thing legislators can do for the community is to keep it whole, or with a minimum decrease.

Rep. Zupkus agreed with Mr. Ecke on the fact that Cheshire is better run than the State. She does not like putting mandates on the towns. We need and want predictability and sustainability, and Rep. Zupkus said people want Connecticut to be a better place. There are some things in budgets of both parties that are alike. The issue comes to 15% of the final piece is the difficult piece. Rep. Zupkus said she would not support a tax increase.

Mr. Ecke commented on the problem being a State problem, and until we come together and find a solution, things will continue to perpetuate. He cited the fact that 31 cents of every dollar goes to State pension funds.

According to Rep. Zupkus some employees pay nothing into their pension fund.

Sen. Suzio reported the facts from a study, which estimated Connecticut must set aside 38 cents of every dollar, for 30 years, to pay its obligations on services already rendered.

We are all in this together, and Mr. Ecke urged the legislators to work together and find a solution together.

Councilor Falk stated his agreement with all the comments and statements made. Everybody should be locked in a room and forced to come up with a hybrid budget plan. Mr. Falk hopes to maintain the current State funding to Cheshire, looking to the future, 5 to 10 years down the line. He asked a question about the new school funding reimbursement percentage for construction.

Everything is up in the air right now, and Sen. Suzio said it is subject to change. Part of the State's problem is the debt, not just pensions. The Republican budget is a no tax increase budget, with a reason for hope that things can be done without tax increases. State employees are an enormous part of the situation, and they must recognize they are part of the solution. We are beyond crisis stage, and in a financial catastrophe. In

such a situation two extraordinary things must be done. Sen. Suzio does not believe the SEBAC agreement will be approved by the rank and file, creating another big issue. The vote is this week, and the State problems cannot be solved without the State employees.

With regard to the percentage reimbursement for school construction projects, Rep. Linehan said the budget is passed. Then, there is a determined amount to be bonded. This information goes to the Education Committee which decides the reimbursement rate. Legislators do not have this information until a budget is passed and given to the Education Committee to break it out.

Sen. Suzio is unaware of changes in the funding, but everything is open, and there is uncertainty on how it will all play out.

Councilor Bowman stated Cheshire has concerns about its education system, public safety, tax burdens, oppressive regulations, opportunities for business growth in town and the State. He requested legislators get back to work, and work together to get this all resolved for the citizens of the State.

Chairman Oris stated the Legislature could take lessons from the Cheshire Town Council, work in a bipartisan way...it is a 5-4 Republican majority. However, partisan politics is put aside to do what is best for the community, and, as Council Chairman he is proud of this Council and its accomplishments. Mr. Oris commented on the House Speaker and President Pro Tem of the House having personal agendas which are put ahead of everyone else. The legislators must get together and solve issues for the people. If this is not done, it is catastrophic what will happen to our municipalities. He suggested living within the State's means, tighten the spending belt, and find ways to grow the State's economy. The town cannot cut enough without revenue growth as well, and cannot find revenue growth on the backs of the taxpayers any longer. We are at a critical step, and Mr. Ecker asked for legislators to listen to the people.

Chairman Oris thanked Sen. Suzio, Rep. Zupkus and Rep. Linehan for attending the Council meeting and sharing information on the budget with the people of Cheshire.

**5. APPROVAL OF MINUTES – Regular Meeting of June 13, 2017;
Special Meetings of June 27, 2017 and July 6, 2017.**

MOTION by Ms. Flynn-Harris; seconded by Mr. Ruocco.

MOVED to approve the minutes of subject to corrections, additions, deletions.

Corrections – the corrections to June 13, 2017, June 7, 2017 and April 17, 2017 minutes are attached.

VOTE The motion passed unanimously by those present.

6. CONSENT CALENDAR

MOTION by Mr. Slocum; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #071117-1

RESOLUTION #071117-1
CONSENT CALENDAR FOR JULY 11, 2017

BE IT RESOLVED, that the Town Council approves the Consent Calendar for July 11, 2017 as follows:

- A. Acceptance and appropriation of \$20 from Operation Fuel to the Cheshire Fuel Bank.
- B. Acceptance and appropriation of \$50 from an anonymous donor to the Human Services Gift Account.
- C. Acceptance and appropriation of \$75 from the Friends of the Cheshire Library To the Library Gift Account to be used for the purchase of Library materials, furniture and computers in memory of Jim Archambault.
- D. Acceptance and appropriation of \$260.50 donation from the lobby donation box To the Library Gift Account to be used for the purchase of Library materials, furniture and computers.
- E. Acceptance and appropriation of \$100 donation from Ellen Bartley in memory Of Nancy Bates to the Library Gift Account to be used for the purchase of Library materials, furniture and computers.
- F. Acceptance and appropriation of \$200 donation from the Cheshire Lions Club To the Library Gift Account to be used for the purchase of Library materials, furniture and computers.
- G. Acceptance and appropriation of \$200 donation from Thomas Clark in memory Of Marilyn Gaudet to the Library Gift Account to be used for the purchase of Library materials, furniture and computers.
- H. Acceptance and appropriation of \$25 donation from Jennifer Tanger-King to The Library Gift Account to be used for the purchase of Library materials, furniture and computers.
- I. Acceptance and appropriation of \$100 donation from Bob and Leslie West in Memory of John Kozma to the Library Gift Account to be used for the purchase Of Library materials, furniture and computers.

- J. Acceptance and appropriation of \$2,000 from the Connecticut State Library Services and Technology Grant, of which \$1,300 will be used for the purchase Of Library supplies and \$700 for software in the Children's Department.
- K. Acceptance and appropriation of \$7,500 from the Mari Hall Family Foundation to be used for the summer 2017 Therapeutic Recreation Summer Camp.

VOTE The motion passed unanimously by those present.

7. ITEMS REMOVED FROM CONSENT CALENDAR

8. OLD BUSINESS

- A. Amendments to Assistant Highway/Public Grounds Superintendent Job Description reflecting the FY 17-18 adopted budget.**

MOTION by Mr. Ruocco; seconded by Mr. Slocum

BE IT RESOLVED, that the Town Council approves Resolution #071117-2

RESOLUTION #071117-2

BE IT RESOLVED, that the Town Council approves the job description for the Assistant Highway/Public Grounds Superintendent as presented and attached.

Discussion

Mr. Ruocco explained there were significant changes made due to the Parks Division coming under the Public Works Department. This job description needed vetting from the bargaining unions, and minor adjustments were made.

VOTE The motion passed unanimously by those present.

9. NEW BUSINESS

- A. Call for public hearing on the proposed Fiscal Year 2017-2018 Five Year Capital Expenditure Plan and Annual Capital Expenditure Budget.**

MOTION by Mr. Oris; seconded by Mr. Slocum.

BE IT RESOLVED, that the Town Council approves Resolution #071117-3

RESOLUTION #071117-3

BE IT RESOLVED, That the Town Council shall hold a public hearing on Tuesday, August 15, 2017 at 7:00 p.m. jointly with the Water Pollution Control Authority to consider the proposed Fiscal Year 2017-2018 Five Year Capital Expenditure Plan and Annual Capital Expenditure Budget, 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.

Discussion

The FY 2017-2018 Capital Budget schedule has been posted and given to Council members.

VOTE The motion passed unanimously by those present.

B. Discussion of Charter Revision Draft Report

Tabled to the special meeting of July 20, 2017.

C. Discussion re: Naming of former Dime Savings Bank Property.

MOTION by Mr. Bowman; seconded by Ms. Flynn-Harris.

BE IT RESOLVED, that the Town Council approves Resolution #071117-4

RESOLUTION #071117-4

BE IT RESOLVED, that the Town Council shall hold public hearing to consider naming the former Dime Savings Bank property “Yankee Expressway Highlands” 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 Town Council.

Discussion

Mr. Bowman explained this is a 300 acre parcel in the northwest quadrant of Cheshire, acquired from Dime Savings Bank many years ago. The proposed name change is appropriate and recommended for Council approval.

Mr. Slocum thanked the Environment Commission for their efforts in the naming process and historical explanation for the name. He commented on the nice description of the property, and the need to look for public access to this property.

The Council was told by Mr. Milone that there could be an adequate means of access to this property through another property.

VOTE The motion passed unanimously by those present.

D. Approval of Chamber of Commerce Fall Festival Fireworks

MOTION by Mr. Bowman; seconded by Ms. Flynn-Harris.

BE IT RESOLVED, that the Town Council approves Resolution #071117-5

RESOLUTION #071117-5

BE IT RESOLVED, that the Town Council approves the presentation of a fireworks display by The Cheshire Chamber of Commerce at Bartlem Park at the Fall Festival on September 16, 2017, and

BE IT FURTHER RESOLVED, that the Town Council appropriates \$___ from the Recreation operating budget to supplement the cost of side fireworks display.

Discussion

Chairman Oris recommended the motion be amended with a “zero” number in the second paragraph related to appropriating funds for the event. Funding could be discussed at a later date, and not make it part of this resolution. In the past the Council has approved the fireworks display, and he expects the approval would continue.

Based on the language, Mr. Slocum said it indicates funding from the Parks and Rec operating budget. He questioned if there is funding at this time, and if not, there is no resolution for the Council.

Mr. Milone advised the fireworks display is not funded in the current year’s budget.

Mr. Oris said the question is clarification of the motion on the table, and it is appropriate for the Council to act on whether it approves fireworks at Bartlem Park location, and defer funding for future discussion. The resolution would be modified without a funding amount stated.

Mr. Bowman and Ms. Flynn-Harris agreed to modifying the motion. Mr. Bowman noted that Chamber of Commerce staff and representatives from Atlas Fireworks were present to address the fireworks display and answer questions.

Sheldon Dill, Director, Chamber of Commerce, explained that the Chamber wanted to bring the fireworks display back to the Fall Festival. Last year there was a laser show in place of the fireworks. The Chapman property was determined to be the best new location and it was visited by Cheshire Fire Department staff and Atlas Fireworks staff.

The shooting site will be 575 feet away (double the former distance) from the community pool; the display will use 3 inch shells; and the Chamber is confident the new location is the best one. A map of the Chapman property was displayed and the new location pointed out on the map.

The impact of the fireworks display on the community pool structure is of great concern and Mr. Bowman asked for information in this regard.

Mr. Dill said many steps have been taken for the fireworks display to be as safe as possible.

Chairman Oris commented on the vendor, Atlas Fireworks, as having a good reputation and history in New England, and they have been the vendor since 1994. The fireworks were suspended in the past year due to the new pool cover.

Matt Shay, Atlas Fireworks, explained that use of the Chapman property site moves the fireworks away to the middle of that property, away from the community pool. There are no longer trees between the people and fireworks, and the height and size of the fireworks has been reduced. In Connecticut, 300 feet is the minimum regardless of the size of the shells. Atlas will be using 3 inch shells, at double the distance, and this exceeds the State requirements. With all of this, he is confident there will be no damage to the pool. Mr. Shay stated that the New England Patriots practice stadium has the same structure as the Cheshire pool, and fireworks have been shot off in this area without problems to the structure.

For full discovery, Councilor Talbot (liaison to the Parks and Rec Commission), informed the Council that the Commission voted to oppose the fireworks being conducted at Bartlem Park location. At their June meeting, the Commission did not have the current level of information when they made this decision. With 3 inch shells, he asked if there is a typical spray area where embers may fall on a windy night.

According to Mr. Shay, 210 foot radius, 420 foot diameter is permitted in this area. The audience has been moved double the distance from the site, and the shooting is +550' from the pool structure. He said there is no possible way anything would go near the pool structure; one-half of the parking lot is being closed down; CFD will have a truck on site, if needed; and fireworks cannot be shot off in 20 mph winds.

Mr. Talbot asked about CFD experience with spray from the fireworks, and if there was debris inside the pool.

Fire Chief Casner said that, in the past, there was some debris and shells in the pool and the south side of the fields.

Mr. Talbot cited his level of confidence with the new location, adjustment of trajectory, and different shells, with no risk to the pool structure.

Fire Marshal Andrews is the person who signs off on the permit. He has no problems or concerns signing the permit, in light of the distance from the pool building, precautions taken by Atlas, and everything meeting or exceeding safety requirements for people and buildings.

This is the best possible scenario, but Chief Casner said there are no guarantees. Precautions are taken with CFD staff and truck at the site, Atlas experience as one of the best in the business, adequate insurance, and the best vendor and location for the fireworks.

At the Planning Committee meeting, Ms. Flynn-Harris stated the Bartlem location and new Chapman property location were pointed out by Fire Marshal Andrews. She said there would be yellow caution tape around certain areas, and with all the precautions there should be no cause concerns for the fireworks display.

Mr. Shay reported one-half of the other side of the parking lot is closed; people can sit in the grass to see the fireworks; it is a smaller shooting area and people are closer to the display. The location is 560 feet from Route 10, and the location exceeds the distance from any structures or roads in the area.

Stating the same concerns as other Councilors, Chairman Oris does not want to put the pool at risk, as it is an important asset to the community. With the information presented by the experts, which covers all the bases, he will reluctantly support the fireworks display. Mr. Oris asked about the Atlas Company insurance coverage.

Mr. Shay stated the company has \$12M insurance which would cover anything happening from the fireworks.

Chairman Oris is in favor of the display subject to satisfactory review of the insurance certificate by the Town Attorney. This insurance policy should have the Town of Cheshire included along with Chamber of Commerce.

There was a brief discussion on the possibility of shooting the fireworks from the high school site with spectators at Bartlem Park. It was explained by Mr. Dill and Mr. Shay that this would not work; there are too many people in this area; and the Chamber wants to keep the fireworks at the Fall Festival. About 3,000 to 5,000 people attend the event.

VOTE The motion passed 7-0-1; Mr. Ruocco opposed.

F. Approval of fire truck acquisition process

MOTION by Mr. Slocum; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #071117-6

RESOLUTION #071117-6

BE IT RESOLVED, that the Town Council approves purchasing the fire truck pumping engine as approved in the November 2016 referendum through the Houston Galveston Area Council purchasing consortium.

Discussion

Mr. Slocum stated the Budget Committee met with the Chief and staff about joining this consortium to streamline the purchase process without losing the required input, and elimination of a consultant. It provides for better pricing for a truck.

Chief Casner and Deputy Chief Youngquist were present to discuss the consortium.

Chief Casner said it is similar to purchasing off the State bid. Everything is done by the consortium; it does limit some options for a truck; the CFD gets what he needs for less cost; and many Connecticut municipalities are doing this purchase process.

Chief Youngquist explained that one-half of the ladder truck sales go through this consortium or something similar. It eliminates the \$6,000 cost for a consultant; the prices are negotiated; and CFD gets a cookie cutter truck.

The last two fire vehicles were scaled down purchases and Chief Casner said the CFD executive board is comfortable going through the consortium for the ladder truck. This truck will be more simple, have less moving parts, a lower cost, but will be practical and useful. The Town joined the HGAC 2-3 years ago, and PW Department has used them in the past.

Mr. Talbot asked about the lengthy process for purchase of a truck, if it would be reduced with HGAC, and expectations and shortening of wait time.

Going through the normal process there is a 250 page spec list, and Chief Casner said with HGAC, the bid is returned, with four months before anything comes back to CFD. Within a week the CFD makes a choice; delivery time is 12 months from placement of the order.

This is saving time and money and was authorized in the CEP, and Chairman Oris said it comes back to the Council for approval.

VOTE The motion passed unanimously by those present.

F. Approval of CodeRED Emergency Communications Network multi-year Contract.

MOTION by Mr. Slocum; seconded by Mr. Ruocco.

BE IT RESOLVED, that the Town Council approves Resolution #071117-7

RESOLUTION #071117-7

BE IT RESOLVED, that the Town Council approves a three-year contract with CodeRED Emergency Notification Network for emergency notification services at an annual cost of \$10,155 for unlimited minutes; and

BE IT FURTHER RESOLVED, that the Town Council authorizes Town Manager Michael A. Milone to execute said contract.

Discussion

The Budget Committee reviewed this item, and Mr. Slocum said the system connects to homes in town. It is a three year contract. The BOE has its own system with more school services...Power School, and pays all costs for this system.

Chief Casner explained this is a long time vendor; the contract was negotiated at \$10,155 for unlimited minutes which expands the use of the system; and is a win-win for the town. There are 20,000 phone numbers on the system. People can sign up with CFD, the town website, or call town staff for assistance. The BOE has its own system, Power School, at its own cost.

Town Manager Milone stated this system is used for special and emergency notification.

The system is used each year for the marathon to advise people of the event and traffic situations in town. Chief Casner said the use of the system varies on the emergencies in town, and it has been used once or twice a year for an emergency.

This is a great program, and Chairman Oris said the \$10,155 is worth the cost if even only one life is saved. He requested people sign up for the CodeRED system.

VOTE The motion passed unanimously by those present.

G. Approval of Land Records Management multi-year contract.

MOTION by Mr. Slocum; seconded by Mr. Ruocco.

BE IT RESOLVED, that the Town Council approves Resolution #071117-8

RESOLUTION #071117-8

BE IT RESOLVED, that the Town Council approves a five-year Agreement for Records Management and Imaging System by and between Kofile Technologies Inc. and the Town of Cheshire for the Town Clerk records, documents, and licensing management system, pursuant to the terms as presented and attached, and

BE IT FURTHER RESOLVED, that the Town Council authorizes Town Manager Michael A. Milone to execute said Agreement.

Discussion

This item was reviewed by the Budget Committee and Mr. Slocum explained that Town Clerk Brennan was not satisfied with the services of the current vendor. She did an RFP with the assistance of the Finance and Town Manager departments. There were three responders, and negotiations took place with the new vendor, Kofile Technologies. Ms. Brennan submitted a letter to staff and Council on the details of the new contract, which is the same cost as the former vendor. She expects more reliability, better turnaround time, and better quality of service from the new vendor. Ms. Brennan worked with Town Attorney Smith on the contract, and there is protection in place if services do not meet expectations.

VOTE The motion passed unanimously by those present.

H. Approval of multi-year cleaning service contract for municipal buildings.

MOTION by Mr. Slocum; seconded by Ms. Flynn-Harris.

BE IT RESOLVED, that the Town Council approves Resolution #071117-9

RESOLUTION #071117-9

BE IT RESOLVED, that the Town Council approves a three-year contract for cleaning services for municipal buildings by and between Uncle Sam's Contractors and the Town of Cheshire at a cost of \$104,676 annually, and

BE IT FURTHER RESOLVED, that the Town Council authorizes Town Manager Michael A. Milone to execute said Agreement.

Discussion

PW Director Noewatne informed the Council that the new vendor, Uncle Sam's Contractors, had very good reference, all of which were checked by town staff. They clean buildings of other municipalities (i.e. Wallingford CT), were the low bidder, have good experience. The former company Melco did not provide good services near the end of its contract and did not meet expectations. The new vendor's insurance certificate has been checked, and it meets all standards.

VOTE The motion passed unanimously by those present.

I. Chapman Property Remediation

Discussion

There is a significant amount of remediation on this property, and Mr. Noewatne said the contract completion date by the Chapmans is September 1st. The Chapmans have \$300,000 in escrow, and their own contractor to do the remediation work. The extent of the remediation varies; there are four underground tanks; about 6 contaminated soil samples; large pesticide area with contaminants; the buildings all have hazardous materials; there is asbestos in various forms in all the buildings; there is lead based paint in the front farmhouse at 630 and 640 South Main Street. The main issue is how these buildings and houses are treated. The vision was to dispose of them in the quickest and most environmentally safe way, which means putting these things into a dumpster and take them off site. The farm houses (630 and 640) have asbestos, lead paint, basement contamination, petroleum in the basement (100 cu.yds) to come out, soil remediation. The only way to do this is to remove the house from the foundation with an excavator, at a cost of about \$18,000 to \$20,000 to clean this basement. Another method is to hand dig, use jack hammers, people shoveling it into buckets and take it off site. The house could be temporarily moved off its foundation, at a higher cost of about \$100,000.

Mr. Noewatne said the Chapmans will need the next 6 weeks to hire a contractor to get the work going. There are plans predicated on the easiest and quickest way to dispose of these buildings.

AOC11 was raised by Ms. Flynn-Harris who asked if it was actually the farm house, and if additional testing was done.

According to Mr. Noewatne AOC11 is the pesticide/contamination storage area, and if all the numbers are within the \$300,000 escrow. Testing has been done.

Town Attorney clarified that, under the contract, the Chapmans have two obligations with respect to remediation, comply with the law, and perform remediation in accordance with the BETA consultant recommendations. The BETA report is incorporated, by reference, on the specified and recommended scope of remediations. AOC6 is the house, with the recommendation to demolish the house and excavation take place following demolition.

Mr. Slocum stated the Council would have to deem there was some worthiness in moving the building up and hand picking the contamination out of the basement, and appropriate that money separately.

Attorney Smith stated that Mr. Chapman would have a good argument that anything above and beyond that which he was required to do would be paid by the town.

Mr. Noewatne said there is no lead based paint and asbestos in the farm house building.

Stating it is clear to him in light of the timing of the start of remediation, Chairman Oris said there would be no vote on this agenda item. This is information at a future date. The issue needs to be advanced in light of the obligations under the contract, with the Council forced to make a decision on this house very soon. This matter will be on the agenda of the next Council meeting.

PUBLIC COMMENTS/QUESTIONS

Ray Squier, Cook Hill Road, stated that "remediation" is clean-up.

Elizabeth Fox, 135 Oak Avenue, stated she asked for approval for grant funding at the March 2017 Council meeting on the Ives House. She understands the concerns about State funding and impact on the town and asked to remove the issue from the April agenda. Funding for a feasibility study of the house will come from the National Parks Service; there is no effect on the State budget; and in the Fall she hopes there will be funding from Community Investment Act (State money) to be used for the restoration, moving and adaptive reuse of the building. She has had an architect, contractor and architectural historian go through the building, and all think it is structurally sound and worth saving. There are issues in the basement. Ms. Fox asked the Council to think about the grant funds and feasibility of the building. She said this building will be replaced by tennis courts; the heritage of the town is important; and makes Cheshire different. The plan also goes against the POCD.

J. Approval of Town Manager's FY 17-18 Goals and Objectives

MOTION by Mr. Ruocco; seconded by Mr. Talbot.

BE IT RESOLVED, that the Town Council approves Resolution #071117-11

RESOLUTION #071117-11

BE IT RESOLVED, that the Town Council approves the Town Manager's FY 17-18 Goals and Objectives as presented and attached.

Discussion

Mr. Ruocco advised this is an annual requirement in the Town Manager's contract, with goals and objectives for the next fiscal year. This year Mr. Milone went into critical issues, such as hiring a new Town Manager and leaner financial times, and addressed these issues.

In the document, Town Manager Milone said he underscored the importance of the financial stability and organizational sustainability of the Town of Cheshire, the high

priority of a transition to a new Town Manager and new Town Council. Another high priority is economic development.

Chairman Oris thanked Mr. Milone for his hard work, and said he is a consummate professional, and when he retires in 2018 he will be greatly missed. In his goals and objectives report, Mr. Oris appreciated that it is not a canned approach. It highlighted economic development and financial impacts, and was a good job thinking about the community, and crafting his objectives accordingly.

VOTE The motion passed unanimously by those present.

10. TOWN MANAGER'S REPORT AND COMMUNICATIONS

A. Monthly Status Report - in Council packets

B. Department Status Reports: Police, Fire, Fire Marshal. In Council packets

C. Other Reports

Mixville Park – PW Director Noewatne reported on the issues with trusses leading to the roof of the pavilion. The pavilion is two separate structures. A structural engineer, building official and fire marshal checked the building. The outdoor pavilion is safe for occupancy by engineering standards; the enclosed portion (with room for camps) is unsafe for occupancy. The building must be condemned, taken down, and rebuilt. There will be a final report issued which will be forwarded to the Council. These buildings are from the mid-1980's and built by a volunteer organization..

Ms. Flynn-Harris asked about revenue lost to Parks and Rec budget on rentals of three buildings.

Mr. Milone will be meeting with Ms. Petela and Mr. Noewatne to review and assess the issues related to the Mixville Park problems.

According to Mr. Noewatne the outdoor rentals can proceed as planned; indoor rentals cannot; and the Fire Marshal and Engineer are having discussions on what needs to happen with the structures. Public safety is a priority.

Parks and Recreation/Public Works Reorganization – Mr. Milone reported the reorganization is going well, and Mixville is the only issue so far. This issue was identified and PW took over the problem and responsibility.

Mr. Noewatne informed the Council that things are going well. Parks Division has four great grounds keepers on staff; they care about the parks and town; they are easy to

work with, are willing to do their job, find different ways to do things, maximize manpower, and keeping things in a good state of maintenance. He has had meetings with this staff, understands their concerns, and the grounds keepers spoke up about the Mixville pavilion issues, and everyone jumped on it to handle the issues. Mr. Noewatne reported the Parks Div. staff maximize efficiency, and have manpower to get and keep everything at the highest level.

Chairman Oris commented on the Parks Division and PW Department working well together, and noted there were concerns about the transition. He commended Mr. Noewatne, Mr. Gancarz and senior staff for insuring everything worked well, and this will continue.

Monthly Report – Mr. Milone said the report is positive; the surplus will be about \$350,000 more than expected, closer to \$1.2M; fund balance just over \$10M, or 9.4%. WWTP budget will have \$126,000 surplus, with fund balance up to \$900,000. Community Pool budget will have about a \$40,000 deficit due to major expenses towards the end of the year; revenue has been high; expenditures higher than expected; there may need to be a transfer from Parks and Rec budget to the Pool Budget, and this will be brought back to the Council.

Richmond Glen Cannon Permit – The State of Connecticut DOA refused this permit for the owner of the site; an appeal can be filed; but, the season will be over before any action is taken. A thank you letter from Mr. Caruso to Town Manager Milone on this problem was in the packet.

Summer Concert Series – July 21 through August 11, 7:00 p.m. at Bartlem Park.

Assessment Appeal Settlement – there were 8 appeals from the 2017 revaluation; total market value \$21.6M; assessed value \$15M; settlement was \$1.9M in assessment or \$58,000 taxes. Attorney Joseph Schwartz represented the Town, and did an excellent job of protecting the Town's interests. This also reflects the good record keeping in the Tax Assessor's Office.

Safest City Recognition – Cheshire recognized as 33rd safest town in USA in the SafeWise Report.

Government Finance Officers Association Certificate of Achievement – this is the 21st year the Finance Department has received this recognition.

Public Works Projects – cited in the report.

Performance Contracting-Energy Savings – After one full year of the \$9.5M initiative there are savings, and they are part of this report.

Community Pool Expenditures – Ms. Flynn-Harris questioned these expenses.

Mr. Milone said it was the pool filter system, which was the original system. Also, the utility cost estimates were too conservative and were a little higher than budgeted. A summary of the pool revenue in FY 2016-2017 will be provided to the Council along with a comparison to other years. The August transfers will have detailed information.

11. REPORTS OF COMMITTEES OF THE COUNCIL.

A. Chairman's Report

Ordinance Review Committee – Ms. Flynn-Harris reported the committee awaits an update regarding the blight ordinance.

B. Miscellaneous

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports

Cheshire Performing and Fine Arts Committee - Ms. Flynn-Harris informed the Council and the public about the CPFA Art Exhibit at The Cheshire Public Library this weekend.

Economic Development Commission – Mr. Ecke reports the EDC members are working on alternative revenue sources to alleviate the budget crisis.

B. Appointments to Boards and Commissions – None.

13. TOWN ATTORNEY REPORT AND COMMUNICATIONS – No report.

14. COUNCIL COMMUNICATIONS

A. Letters to Council.

B. Miscellaneous

EXECUTIVE SESSION –

MOTION by Mr. Talbot; seconded by Ms. Flynn-Harris.

MOVED that the Town Council enter Executive Session at 10:12 p.m. to include Town Manager Milone and Town Attorney Smith to discuss land acquisition.

MOTION by Mr. Talbot; seconded by Mr. Falk.

MOVED to exit Executive Session at 10:45 p.m.

VOTE The motion passed unanimously by those present.

15. ADJOURNMENT

MOTION by Mr.Talbot; seconded by Mr. Falk

MOVED to adjourn the meeting at 10:45 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk