

**MINUTES OF THE CHESHIRE TOWN COUNCIL MEETING HELD ON TUESDAY,  
MAY 14, 2019 AT 7:00 P.M. IN COUNCIL CHAMBERS, 84 SOUTH MAIN STREET,  
CHESHIRE CT 06410**

Present

Robert J. Oris, Jr. Chairman; Paul A. Bowman, Vice Chairman; Jeffrey Falk, Thomas Ruocco, Timothy Slocum, David Veleber.

Absent: Patti Flynn-Harris, Sylvia Nichols, Peter Talbot

Staff: Sean Kimball, Town Manager; James Jaskot, Finance Director; George Noewatne, PW Director.

Dept. of Education – COO Vincent Masciana

Guest: John Gawlak, Recreation Director; Mark Bobman, Executive Director, Wallingford Regional Solid Waste Project.

Chairman Oris called the meeting to order at 7:01 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.

Chairman Oris moved agenda item #4 to current status.

**4. PUBLIC COMMUNICATIONS**

**A. Introduction of new Recreation Director John Gawlak**

Town Manager Kimball introduced John Gawlak, Cheshire's new Recreation Director to the Council and the community. He highlighted Mr. Gawlak's experience as Director of Recreation for 16 years in Wallingford CT, and his 30+ years working in Wallingford.

On behalf of the community and the Council, Chairman Oris welcomed Mr. Gawlak to Cheshire, and said everyone looks forward to working with him.

Mr. Gawlak expressed appreciation for the welcome by the Council and he looks forward to working in Cheshire.

**B. Public Comments – none**

**3. ITEMS FOR EXECUTIVE SESSION**

**A. Contract Negotiations**

MOTION by Mr. Slocum; seconded by Mr. Veleber.

MOVED that the Town Council enter Executive Session at 7:07 p.m. to include Town Manager Kimball, Town Attorney Smith, PW Director Noewatne, and Mark Bobman to discuss contract negotiations.

VOTE The motion passed unanimously by those present.

MOTION by Mr. Slocum; seconded by Mr. Veleber.

MOVED that the Town Council exit Executive Session at 7:40 p.m.

VOTE The motion passed unanimously by those present.

**5. APPROVAL OF MINUTES  
Regular Meeting of April 9, 2019; Public Information Session of April 11,  
2019; Special Meetings of April 11, 16, 23, and 30, 2019.**

MOTION by Mr. Slocum; seconded by Mr. Veleber.

MOVED to approve the minutes of the Regular Meeting of April 9, 2019, Public Information Session of April 11, 2019, Special Meetings of April 11, 16, 23 and 30 2019 subject to corrections, additions, deletions.

VOTE The motion passed unanimously by those present.

**6. CONSENT CALENDAR**

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

BE IT RESOLVED, that the Town Council approves Resolution #051419-1

**RESOLUTION #051419-1  
CONSENT CALENDAR FOR MAY 14, 2019**

BE IT RESOLVED, that the Town Council approves the Consent Calendar for May 14, 2019 as follows:

- A. Acceptance and appropriation of a \$2,000 donation from Mark D. Cannon To the Parks and Recreation Gift Account for a memorial bench in honor Of Christopher Settembri.
- B. Acceptance and appropriation of a \$10 donation to the Police Department Gift Account from Mary C. Salvatore for the purchase of equipment, tools Or education program.
- C. Acceptance and appropriation of a \$50 donation from an anonymous donor To the Human Services Gift Account to be used for general purposes.

- D. Acceptance of ARTSDAY donations in the amount of \$477.35 to the CPFA Gift Account for the Annual Scholarship Fund.
- E. Acceptance and appropriation of a \$50 donation from the Cheshire Senior Center Widows and Widowers (Group) in memory of Marie (Scotty) Grant To the Human Services Gift Account to be used for the Senior Center.
- F. Acceptance and appropriation of a \$50 donation from an anonymous donor To the Human Services Gift Account to be used for general purposes.
- G. Acceptance and appropriation of \$215 from proceeds from the Yellow House

VOTE The motion passed unanimously by those present.

**7. ITEMS REMOVED FROM CONSENT CALENDAR**

**8. OLD BUSINESS**

**9. NEW BUSINESS**

**A. Set public hearing for 2019 Neighborhood Assistance Act Program Applications.**

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

BE IT RESOLVED, that the Town Council approves Resolution #051419-2

**RESOLUTION #051419-2**

BE IT RESOLVED, That the Town Council shall hold a public hearing to consider submissions to the 2019 Neighborhood Assistance Act Program applications, and

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

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

VOTE The motion passed unanimously by those present.

**B. Set public hearing for amendments to Code of Ordinances to update Ordinances to reflect current Charter and regulations.**

MOTION by Mr. Oris; seconded by Mr. Veleber

BE IT RESOLVED, that the Town Council approves Resolution #051419-3

**RESOLUTION #051419-3**

BE IT RESOLVED, That the Town Council shall hold a public hearing to consider revisions to the Code of Ordinances to update language and ensure consistency with the current Charter and regulations, and

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

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

VOTE           The motion passed unanimously by those present.

**C.     Set public hearing for ordinance amendment for waiver of building permit fees for handicapped accessibility projects.**

MOTION by Mr. Oris; seconded by Mr. Veleber.

BE IT RESOLVED, that the Town Council approves Resolution #051419-4

**RESOLUTION #051419-4**

BE IT RESOLVED, That the Town Council shall hold a public hearing to consider an amendment to the Code of Ordinances Section 3-3 to waive Building Permit Fees for all handicapped accessibility construction projects, and

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

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

VOTE           The motion passed unanimously by those present.

**D.     Set public hearing for amendments to the Youth and Human Services Committees ordinance.**

MOTION by Mr. Oris; seconded by Mr. Veleber

BE IT RESOLVED, that the Town Council approves Resolution #051419-5

**RESOLUTION #051419-5**

BE IT RESOLVED, That the Town Council shall hold a public hearing to consider an amendment to the Code of Ordinances Sections 2-85 and 2-121 creating a Youth and Human Services Committee, and

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

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

VOTE           The motion passed unanimously by those present.

**E.     Set public hearing for TIF Master Plan Review**

MOTION by Mr. Oris; seconded by Mr. Veleber.

BE IT RESOLVED, that the Town Council approves Resolution #051419-6

**RESOLUTION #051419-6**

BE IT RESOLVED, That the Town Council shall hold a public hearing for consideration of a proposed Interchange Zone Tax Increment Financing (TIF) District Master Plan, and

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

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

VOTE           The motion passed 5-0-1; Mr. Bowman abstained.

**F.     Appointment of representative to the South Central Connecticut Regional Water Authority Representative Policy Board for a three year term Ending June 30, 2022.**

MOTION by Mr. Ruocco; seconded by Mr. Veleber.

BE IT RESOLVED, that the Town Council approves Resolution #051419-7

**RESOLUTION #051419-7**

BE IT RESOLVED, that the Town Council approves the re-appointment of Mr. Tim Slocum of 1285 Lilac Court, Cheshire, as Cheshire's representative to the South Central Regional Water Authority Representative Policy Board for the term July 1, 2019 through June 30, 2022.

Discussion

Chairman Oris commended Mr. Slocum for his hard work on the Policy Board on behalf of Cheshire, and said he does a great job representing the Town.

VOTE           The motion passed 5-0-1; Mr. Slocum abstained.

**G.     Discussion and possible approval of award of construction contract for Removal of underground storage tanks at Chapman, Humiston and Dodd Middle School.**

MOTION by Mr. Bowman; seconded by Mr. Slocum

BE IT RESOLVED, that the Town Council approves Resolution #051419-8

**RESOLUTION #051419-8**

BE IT RESOLVED, that the town Council approves the award of the construction for the underground storage tank removal project at Chapman, Humiston, and Dodd Middle Schools to Kropp Environmental for \$22, 170 pursuant to the recommendation of the Public Building Commission.

Discussion

Mr. Bowman reported the PBC recommended this contract award at its May 8<sup>th</sup> meeting, and he supports the resolution.

VOTE           The motion passed unanimously by those present.

**H.     Discussion and possible approval to bid the replacement of underground storage tanks at Darcey School.**

MOTION by Mr. Bowman; seconded by Mr. Falk

BE IT RESOLVED, that the Town Council approves Resolution #051419-9

**RESOLUTION #051419-9**

BE IT RESOLVED, that the Town Council authorizes the Public Building Commission to go to bid for the underground tanks replacement project at Darcey School.

Discussion

Mr. Bowman stated that, at the May 8<sup>th</sup> meeting, the PBC recommended Council approval of the resolution, and he will support it.

Chairman Oris questioned the financial impact of \$188,334 for the replacement of the tanks, vs. \$22,000 for removal of the tanks, and whether the removal should include re-installment of the tanks.

Mr. Masciana explained that the \$22,000 cost was just for removal of the tanks. The installation of the tanks must be engineered by design professionals, go to bid, and he hopes to do better with the cost.

VOTE           The motion passed unanimously by those present.

**I.       Discussion and possible approval to bid the replacement of underground storage tanks at Doolittle School.**

MOTION by Mr. Bowman; seconded by Mr. Slocum

BE IT RESOLVED, that the Town Council approves Resolution #051419-10

**RESOLUTION #051419-10**

BE IT RESOLVED, that the Town Council authorizes the Public Building Commission to go to bid for the underground tanks replacement project at Doolittle School.

Discussion

This is similar to the other proposals, and Mr. Bowman advised the PBC (May 8<sup>th</sup> meeting) recommended Council approval of this resolution. He will support it.

VOTE           The motion passed unanimously by those present.

**J.       Discussion and possible action re: Approval of design and authorization to go to bid for the Highland School Government Freezer replacement.**

MOTION by Mr. Bowman; seconded by Mr. Veleber.

BE IT RESOLVED that the Town Council approves Resolution 051419-11

**RESOLUTION #051419-11**

BE IT RESOLVED, that the Town Council approves the design for the Highland School Government Freezer Project pursuant to the recommendation of the Public Building Commission, and authorizes the Public Building Commission to go to bid for said project.

Discussion

Mr. Bowman stated the freezer project was recommended for Council Approval by the PBC at its May 8<sup>th</sup> meeting.

Chairman Oris assumes, that for these retrofit projects, which are below the prevailing wage requirement, they are non-prevailing wage.

In reply, Mr. Masciana said that was correct.

VOTE           The motion passed unanimously by those present.

**K.     Discussion and possible action re: Waiver of bid and approval of Award of Contract for the utility tunnel steam piping insulation project at Cheshire High School.**

MOTION by Mr. Slocum; seconded by Mr. Bowman

BE IT RESOLVED that the Town Council approves Resolution 051419-12

**RESOLUTION #051419-12**

BE IT RESOLVED, that the Town Council authorizes the Town's participation in the Eversource Energy Small Business Energy Advantage Program for Municipalities (SBEA) and approves the execution of the SBEA Loan Agreement, and

BE IT FURTHER RESOLVED, that pursuant to the recommendation of the Public Building Commission, the Town Council approves a waiver of bid for the utility tunnel steam piping installation project at Cheshire High School as one of these SBEA program projects, and further approves the award of contract for said work to JK Energy Solutions for \$52,356.

Discussion

Mr. Slocum reported he attended the meeting where this matter was discussed with the BOE, and Mr. Masciana introduced this change after due diligence from Mr. Klavet (BOE Building Supervisor). He said there are opportunities to get more things done with this grant/loan, which will also cover necessary changes to the ongoing tunnel system problems.

Mr. Masciana referred the Council to his memo of May 7<sup>th</sup> to the BOE Planning Committee. Last year the Council appropriated \$110,000 in the capital budget to insulate the steam pipe tunnel running below the old portion of the high school. This tunnel generates a lot of heat; there is unwrapped pipe; and the insulation will keep the warmth inside the pipe; and prevent the classroom and spaces above from over-heating. This has been an ongoing problem for years.



This is a PBC project, and Mr. Klavet found a company, JK Resources in Thomaston CT, which specializes in these types of projects. Through discussion with this company, JK Resources is a qualified contractor with Eversource under the SBEA program.

Page 2 of Memo – Mr. Masciana explained that as part of the SBEA program, Eversource qualifies contractors who agree to do energy improvement projects at a fixed price. JK Resources went to Cheshire High School, did a thorough review of the school to determine other projects which meet the criteria for the SBEA program. After review, JK Resources found three (3) projects with attractive paybacks.

- Steam Piping Insulation – Cost \$52,356; Annual Energy Savings \$7,302; Payback Years 7.17
- LED Lighting Upgrades – Cost \$198,005; Annual Energy Savings \$19,395; Payback Years 10.21
- Refrigeration Improvements – Cost \$15,704, Annual Energy Savings \$1.752; Payback Years 8.96

The LED lighting upgrades would upgrade all LED lighting remaining in the high school, inside and pole lighting; the only exemption would be the stadium lighting. CHS would be 100% LED lighting.

Refrigeration Improvements would replace old motors with variable speed motors.

Total Project Costs - \$266,065; Annual Energy Savings \$28,449  
Less Eversource Conservation Incentive – (\$103,572)  
Net Project Cost to Cheshire Public Schools - \$162,493; Overall Energy Savings of \$28,449; Payback Years – 5.71 years.

Financing Details - \$162,493 total cost to DOE; less zero interest 4 year loan \$100,000;  
BOE Funding Needed - \$62,493.

Capital Appropriation for Steam Piping Insulation -	\$52,356
Operating Budget Funds -	<u>\$10,137</u>
Total	<b>\$62,493</b>

Mr. Masciana pointed out there are positive savings from the energy savings.

Page 3 of the Memo – Mr. Masciana reviewed the information.

Annual Energy Savings/Conservation Measures -	\$28,449
Less Annual Loan Payments (4 years)	\$25,000 (\$100,000 Loan)
<b>Net positive Annual Cash Flow</b>	<b>\$ 3,449</b>

Annual Cash Flow/5 years and beyond:	
Annual Energy Savings/Conservation Measures	\$28,449
Less Annual Loan Payments	\$ 0
Net Positive Annual Cash Flow	<b>\$28,449</b>

Mr. Masciana stated the recommendation is to take advantage of the energy program through Eversource. It is an energy performance contract approach, on a smaller scale. The proposal is now before the Council. PBC and Energy Commission support the proposal and recommend it go forward. The Town Attorney will review the contract and insure compliance with Town requirements and the Town Charter.

With the balance of funds cited, Mr. Slocum said they could be allocated and used for future piping work. He asked how much of this work is still there.

According to Mr. Masciana, there would be no further piping work.

Regarding the LED lighting, Mr. Oris asked about LED lights at the field through the SBEA program. He commented on the field area being dark, and this being an opportunity to roll this lighting into the program.

It was explained by Mr. Masciana that the payback on the stadium LED lighting replacement is much longer than indoor lights...the stadium lighting is not kept on as long as indoor lighting. As part of the capital budget, the BOE will have a request for stadium LED lighting, at a cost of about \$150,000.

VOTE           The motion passed unanimously by those present.

**L.     Discussion re: Pension interest rate assumption proposal.**

Town Manager Kimball reported this matter was reviewed and discussed at the Budget Committee meeting.

Town Manager Kimball stated that the actuaries are strongly encouraging the Town to not lag behind other AAA towns, and reduce the rate of return assumption from 7.5% to 7.0%. One proposal is a phase-in over four years at .125% each year. The other approach would to reduce the assumption by .5% all in one year and phase in the recommended contribution increases over a four-year period. The second approach is more expensive. The first approach is the recommended one since the Town could continue to fund its ARC at 100% at a less overall cost. The average trend for AAA towns is to move closer to the 7.0%.

Mr. Jaskot stated the average rate of return assumption is now 7.0% in Connecticut, with some towns higher and some lower. The actual budget impact next year will be \$371,062. Looking at each of the plans the contributions go up incrementally each year. This is the right thing to do and Mr. Jaskot requested Council approval.

This topic is being introduced at this meeting and Mr. Kimball said it will be a discussion item with approval at the June meeting. He commented on the two approaches recommended – one being fully funding and one a phase-in approach to 7.0%. Overall, the recommended approach saves \$100,000. For all of the plans (Town, Police, Fire, BOE) the increase next year will be \$300,000.

Mr. Slocum talked about the information from the Budget Committee meeting, and the average fund performance (over 7 years) being 5.74%. Because of pension plan changes over the last 8 years there is no building upon introduction of new retirees. The Town does pay towards the 401K plans, and it is a high number.

It was explained by Mr. Jaskot that the pension plans being discussed are the Defined Benefit Plans. These plans were closed to new hires. There will be some increases in the Defined Contribution Plan for more recently hired employees, and these are in addition to the actuary recommended contributions to the defined benefit plan.

Mr. Ruocco commented on 2020 at \$3.9M contribution, and it increasing to \$4.3M contribution, and these being staggering numbers.

Mr. Jaskot informed the Council the Town is coming off 10 years of building up pension contribution, being at 8.5% at one time, now at 7.5%, and contributing in excess of \$450,000 per year, phasing in the percentage point decrease. Unfortunately, the bar has been set lower now, and to get to this level the number is \$3.9M. The costs should plateau.

It was stated by Mr. Ruocco that this is the result of Town contracts with salaries and pension plans having huge costs.

Mr. Kimball advised that the police pension plan is capped at 90%.

Regarding the rating agencies and keeping the town's AAA rating, Mr. Oris asked about the importance of the pension plan adjustment.

Mr. Jaskot said it will be looked upon favorably, with the town being more conservative than currently, and be more in line with peer groups.

Mr. Oris asked about a negative look by agencies without the adjustment. The number is staggering. Looking at it in relation to the teacher pension obligation forced upon the town by the state government, he said there are tough decisions to be made. Maintaining the AAA credit is important to Mr. Oris.

By pursuing this adjustment to 7.0%, Mr. Jaskot said it shows Cheshire being more conservative with its rate of return and assumptions.

Chairman Oris commented on Finance Dept. staff and Mr. Jaskot doing a good job in maintaining Cheshire's AAA rating. He wants more information on the level of importance on the changes to the assumption rate.

Mr. Bowman requested a listing of municipalities in Cheshire's peer group.

## **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**

Town Manager Kimball presented the following in his report. A copy of the report is attached to these minutes.

- Memorial Day Parade – May 26<sup>th</sup>, 1:30 p.m. No rain date this year; parade will honor D-Day and 75<sup>th</sup> Anniversary of the Normandy Invasion.
- Cheshire Public Library – Food for Fines Month. Donations will clear fines on materials returned to the Library.
- Business Appreciation Day on Wednesday June 19<sup>th</sup> – at Elim Park; registration and breakfast 7:30 to 8:00 a.m. Guest speaker Jim Smith, former CEO of Webster Bank, and economic advisor to Gov. Lamont.
- 55 Railroad Avenue – the Town acquired this property last month; it will be a temporary parking area for the summer; a more permanent parking solution will be coming during the capital budget process.
- Neighborhood Assistance Act (NAA) – this program application date is June 3<sup>rd</sup>, with submission to the Town Manager's Office.
- Chesprocott Health District Online Property Search Tool – this free program allows the public to view street files on line. [www.chesprocott.org](http://www.chesprocott.org) 203-272-2761.
- Automated Trash Rollout – Solid Waste Committee Meeting May 23<sup>rd</sup> to review requests for container exchanges and additional containers. Deadline is July 1<sup>st</sup>.
- Recreation Offerings – Farmer's Market at the Youth Center Parking Lot, Thursdays, starting July 11 to September 12; 4:00 p.m. to 6:30 p.m.

- Summer Concert Series – events scheduled for July 19<sup>th</sup>, 26<sup>th</sup>, and August 2<sup>nd</sup> and 9<sup>th</sup>; all concerts 7 p.m. at Bartlem Park.
- Road Repavement Schedule and Updates – listing of roads for repavement, chip seal, micro sealing and hot in place asphalt recycling; American Industries returned to re-mill and pave Woodhill Rd. and West Johnson Avenue, at no cost to the Town due to substandard initial paving by the contractor.
- Mr. Kimball reported a contractor for RWA has begun road reconstruction on Higgins Road following the water main break last year; project should be completed in two weeks.
- 325<sup>th</sup> Anniversary Recognition – the Town is moving forward with plans to recognize the 325<sup>th</sup> Anniversary; signage and banners have been placed around town, Library and Town Hall. The primary recognition events will coincide with the Cheshire Fall Festival.

There is lots of money being spent on the roads, and Mr. Bowman asked for an evaluation on how the roads accept the different treatments, and the monitoring and determination whether to continue. He wants to insure the right things are being done.

Mr. Kimball will have this analysis done and submitted to the Council.

## **11. REPORTS OF COMMITTEES OF THE COUNCIL.**

### **A. Chairman's Report**

Mr. Ruocco congratulated Mr. Kimball on his first anniversary as Town Manager of Cheshire.

There were no other reports.

### **B. Miscellaneous**

## **12. MISCELLANEOUS AND APPOINTMENTS**

### **A. Liaison Reports – no reports**

### **B. Appointments to Boards and Commissions – no appointments.**

## **13. TOWN ATTORNEY REPORT AND COMMUNICATIONS**

## **14. COUNCIL COMMUNICATIONS**

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

**B. Miscellaneous**

Chairman Oris mentioned one item about his attendance at the NVCOG meeting, and an Eversource representative informing those present about the company's grant program to 501C-3 organizations up to \$25,000. He will provide information for the Town's web site for interested organizations in Cheshire.

**15. ADJOURNMENT**

MOTION by Mr. Ruocco; seconded by Mr. Veleber.

MOVED to adjourn the meeting at 8:30 p.m.

VOTE           The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk