

**MINUTES OF THE CHESHIRE TOWN COUNCIL SPECIAL MEETING HELD
ON TUESDAY, AUGUST 1, 2006 AT 7:30 P.M. IN COUNCIL CHAMBERS, 84
SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

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

Staff Present: Town Manager Michael A. Milone; Town Attorney John K. Knott; Finance Director Patti-Lynn Ryan; Deputy Finance Director James Jaskot; Economic Development Coordinator Jerry Sitko.

I. ROLL CALL

Chairman Hall read the fire safety announcement. 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. Presentation by Friends of Feral Cheshire Cats

Lori Ratchelous, 42 Harrison Road, Cheshire CT, and Kerri Bartoletti, 131 South Coleman Road, Wolcott CT, addressed the Council on the issue of feral cats. Ms. Ratchelous explained that the organization is a 501C-3 non-profit group for trapping, neutering, and returning program for cats. The sterilized cats have their ears tipped to indicate they have been neutered. The group does not operate a shelter for cats, but does find homes for placement of the cats. Since the group began in March 2006 they have rescued 114 cats in Cheshire, and have 108 kittens and cats on the list to rescue. Ms. Ratchelous and Ms. Bartoletti requested that the Council give consideration to an ordinance requiring all cats, 6 months or older, to be spayed/neutered unless there is a breeder's permit in place. Violation of the ordinance would result in a fine. They noted the exemptions to the ordinance for licensed breeders, farms, show cats, medically affected cats. They requested that a committee be formed to include Friends of Feral Cats members, animal control officials, and Town officials.

Because this is an ordinance request, Chairman Hall advised it would be referred to the Ordinance Review Committee, chaired by Mrs. Esty. At this committee level there would be discussion on this issue, and the meeting is open to the public.

Town Manager Milone stated that the Town of Mansfield, CT recently adopted such an ordinance; the Town of Clinton rejected such an ordinance; and he asked for a copy of a model ordinance for the Council to review.

4. CONSENT CALENDAR

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

BE IT RESOLVED, That the Town Council approves Resolution #080106-1

RESOLUTION #080106-1
CONSENT CALENDAR FOR AUGUST 1, 2006

BE IT RESOLVED, That the Town Council approves the Consent Calendar for August 1, 2006 as follows:

- A. BE IT RESOLVED, that Michael A. Milone, Town Manager for the Town of Cheshire, is authorized and directed to file an application on forms prescribed by the Connecticut Commission on Culture And Tourism for financial assistance in accordance with the Provisions of C.G.S. Sec. 10-392 and C.G.S. Sec. 10-411 of the Connecticut General Assembly, in an amount not to exceed \$25,000, and upon approval said request to enter into and execute a Grant Contract and Preservation Restriction with the State for such financial assistance to this municipality for The Historic Preservation Fund Grant for energy improvements at the Hitchcock Phillips House.**
- B. Authorization to apply for a Connecticut Department of Mental Health and Addiction Services Strategic Prevention Framework Grant for alcohol abuse prevention programs.**
- C. Authorization to apply for a \$4,245 Connecticut Department of Mental Health and Addiction Services Local Alcohol, Tobacco And Other Drug Abuse Prevention Council Grant Program Grant for alcohol abuse prevention programs.**
- D. Acceptance and appropriation of a \$17,773 State Department of Education grant for Youth and Social Services programs and salaries.**
- E. BE IT RESOLVED, that Michael A. Milone, Town Manager of the Town of Cheshire, be and hereby is authorized to act on behalf of The Town of Cheshire in executing a Memorandum of Understanding With the State of Connecticut, Department of Emergency Management and Homeland Security, for participation in the FY 2004 State Homeland Security Grant Program;
AND, be it further resolved, that Michael A. Milone, Town Manager Of the Town of Cheshire, be and hereby is authorized to act on behalf of the Town of Cheshire in executing a Memorandum of**

Understanding with the State of Connecticut, Department of Emergency Management and Homeland Security, for participation In the FY 2005 State Homeland Security Grant Program (as Approved by Council per Resolution #041205-1).

- F. BE IT RESOLVED, that Michael A. Milone, Town Manager of the Town of Cheshire, be and hereby is authorized to act on behalf of The Town of Cheshire to execute any and all agreements and Documents for a State of Connecticut Department of Emergency Management and Homeland Security Emergency Management Performance Grant (as approved by Council per Resolution #011505-1).**
- G. Acceptance and appropriation of a \$2,500 donation from Peter Takizawa for computers and equipment at the Library for public use.**

Discussion

For the historic house, Mrs. Esty said that there would be a 10 year preservation easement, subject to the Historic District Commission rules.

Regarding C, Mr. Milone explained that this is a grant for alcohol, tobacco and other drug abuse prevention programs, and Ms. Piccarello, Youth and Social Services Director would be attending a workshop this week to receive more information on the grant. When Ms. Piccarello returns with information, it will be forwarded to the Council. This program is designed around a regional assessment, and the grant will have strict terms attached.

Item E was discussed by Mr. Schrumm who asked if this gives the Town Manager the authorization to sign for the Town.

In response, Mr. Milone said that the Attorney General's office was not pleased with the forms used by OPM. Now all communities must have an authorization on file with the State consistent with the resolution which should have been adopted in the first place. This is a housekeeping requirement being imposed after grants have been awarded.

VOTE The motion passed unanimously by those present.

5. ITEMS REMOVED FROM CONSENT CALENDAR

6. OLD BUSINESS

7. NEW BUSINESS

- A. Set public hearing for Fiscal Year 2006-2007 Annual Capital Expenditure Budget.**

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

BE IT RESOLVED, that the Town Council approves Resolution #080106-2

RESOLUTION #080106-2

BE IT RESOLVED, that the Town Council will hold a public hearing at 7:30 p.m. on Monday, August 28, 2006, in the Council Chambers, Town Hall, 84 South Main Street, Cheshire, Connecticut, to consider the proposed Annual Capital Expenditure Budget for Fiscal Year 2006-2007, and to consider the issuance of bonds, notes and temporary notes to finance certain appropriations within said Annual Capital Expenditure Budget; and the portion of the hearing pertaining to sewer construction will be a joint hearing with the Water Pollution Control Authority in accordance with Section 7-247(a) of the Connecticut General Statutes, and

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

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

VOTE The motion passed unanimously by those present

B. Discussion and action re: FY 05-06 budget transfers.

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

BE IT RESOLVED, that the Town Council approves Resolution #080106-3

RESOLUTION #080106-3

BE IT RESOLVED, that the Town Council approves the FY 05-06 budget transfers as presented and attached.

Discussion

Mrs. Esty explained that the budget transfers were reviewed by the Budget Committee, and all items have been discussed at past Council meetings. The larger items deal with utilities and the pool, and this is end of the year accounting with transfers of the funds.

The Economic Development Commission had asked for \$10,000 for a survey to Cheshire businesses, but this was not included in the FY 06-07 budget. With the healthy surplus, there will be funding of \$9,000 for the EDC to conduct its comprehensive survey.

The \$15,400 for the "consultant" is money encumbered for the possibility of hiring a pool consultant, if the Council decides to make this decision.

It was clarified by Mr. Milone that the actual amount of the encumbrance for the consultant is \$23,700; and in order to balance this department only \$15,400 was needed for transfer. There are two responses to the RFP being considered by the Parks and Rec Commission, and \$23,700 was the highest bid and it was decided to set this amount aside.

Mr. Schrumm asked about the \$43,000 Social Security funds transferred out.

This transfer from Employee Benefits-Social Security of \$43,000 was explained by Mr. Milone. It is a result of vacancies in Town staff (finance director, town planner, police department) and part-time employees having the option to put money into a deferred compensation plan rather than social security. This saves the Town the 7.5% required contribution for social security, and is permitted by the IRS.

Police Department overtime can in on budget, and the \$37,000 was a result of the passing of the Chief and retirements.

It was noted by Mr. Schrumm that this is a large amount for budget transfers, \$404,600 and, he said this is essentially driven by the cost of energy. He asked for a copy of the BOE budget transfers for all Council members.

Mr. Milone said that budget transfers are usually in the \$75,00 to \$100,000 range; \$150,000 of the \$404,600 is to cover utility expenses over budget for 13 Town buildings; \$207,000 in transfers result from having to increase the pool subsidy. The good news is that in June, the subsidy request was \$233,542, and now only \$207,000 is needed for the pool. The pool results indicate there will be a small surplus of about \$12,000 for the FY 05-06; there has been significant revenue generation and far less expenses for the pool facility.

Mrs. Esty commented on the \$7,000 for Town Clerk-Printing resulting from the recording of real estate conveyance; \$1900 was a transfer for the bonus for the Town Manager for last year.

VOTE The motion passed unanimously by those present.

C. Discussion and action re: Chamber of Commerce request for funding for fireworks display at the Fall Festival.

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

BE IT RESOLVED, that the Town Council approves Resolution #080106-4

RESOLUTION #080106-4

BE IT RESOLVED, that the Town Council appropriates \$10,000 from the Parks and Recreation Celebration Account for funding for the Chamber of Commerce fireworks display at the Fall Festival.

Discussion

Sheldon Dill, Executive Director, Chamber of Commerce, and Donald Walesky, Co-Chair Marketplace Committee, addressed the Council on the request for the Town's support of the fireworks display at the fall festival.

Mr. Walesky, 777 Peck Lane, has been co-chair of the fall festival for 11 years, and said that it is a Chamber/Town event. Last year there was cooperation from the Town with the festival moved up one week allowing for the successful fireworks display to take place without the bubble over the pool. Also, last year, Hines Hardware donated \$5,000 for the fireworks; a high school student raised \$1000 with two musical events; and residents and businesses put money into buckets at local stores. In the past, absence of the fireworks was detrimental to the interest of the residents and businesses for the festival, and it has been determined that the fireworks display is an integral and crucial event for the success of the festival.

Mr. Dill, 200 Oak Avenue, commented on the success of last year's festival and fireworks display with over 6000 in attendance. To date the Chamber has raised \$1470, and there is a need to raise more money in order to have the fireworks display. The festival and fireworks is a community event, and it is important to continue the event. The Chamber will continue to work hard in the next 5 weeks to raise more money for the fireworks. Mr. Dill thanked the Council for its consideration of the Chamber's request for support of the fireworks display for the fall festival.

Mr. Schrumm stated that there was Town support for many years, and then it was stopped for budgetary reasons. He said the question becomes...the money is there so let's do it...but what happens when the cash is not there to fund the fireworks, and the Town takes the hit and is blamed.

Mr. Dill said that the Chamber does not expect the Town to support this event every year, and it is an issue which the Chamber would like to discuss with the Council and Town officials. In the past the support was not approved because the bubble was already over the pool and fireworks could not be shot off. The lack of fund raising for the fireworks this year is impacted as a result of energy costs and the economy.

A brief history of past Town contributions/appropriations for the fireworks display were cited by Mr. Hall. 1997-98 \$10,000; 1998 event cancelled due to hurricane; 1999 and 2000 \$10,000 and \$11,000; 2001-02 no contribution; 2002-

03 \$10,000; 2003-04 no contribution and no fireworks; and in the last 2 years the Council did not fund the fireworks because the bubble was over the pool, and the other year was a revaluation year.

To broaden this concept to beyond just the Chamber of Commerce, Mr. Hall said that summer starts with the Memorial Day Parade, and in past years there has been a free day at the pool on that weekend. This year it was cancelled due to bad weather. Mr. Hall asked if the free pool day could be held on the same weekend at the fall festival.

That could be done, and Mr. Milone said that Ms. Adams and Mr. Ceccolini had already mentioned this possibility to him, since the weekend will be one of the last the pool will be open without the bubble. However, due to the fall festival event, there will be less parking at the pool area, and people will have to walk longer distances.

Mr. Milone said the pool would be open during the day as long as the fire department permits people in this area of the park.

Mr. Altieri commented on the Council funding the fireworks display when possible, and the fact that there may be a year when it cannot be funded because of financial constraints. This event has tremendous support from the community and the Town should support this great community event. The festival and fireworks has also provided public and private cooperation between the businesses and the Town.

Mr. Dill said he believes the pool will be closed the day of the festival because of the company coming in to set up the fireworks display early in the morning.

Because this funding has not been appropriated, the cost would be charged to the line item in the Parks and Rec Budget for Celebrations. If money needs to be transferred at year end, the issue will come back to the Council.

Mrs. Esty suggested that the motion be amended to read "up to \$10,000", and this would be based on the funds raised by the Chamber.

In response to a question from Mr. Schrumm about how much the Chamber has raised, it was clarified by Mr. Dill that the Chamber has raised \$1470 to date.

The motion was amended to read:

RESOLUTION #080106-4

BE IT RESOLVED, that the Town Council appropriates up to \$10,000 from the Parks and Recreation Celebration Account for funding for the Chamber of Commerce fireworks display at the Fall Festival.

VOTE The amended motion passed unanimously by those present.

D. Discussion and action re: approval of economic incentive for Salsco Inc.

MOTION by Mrs. Esty; seconded by Mr. Altieri

BE IT RESOLVED, that the Town Council approves Resolution #080106-5

RESOLUTION #080106-5

BE IT RESOLVED, that the Town Council hereby approves the economic incentive for Salsco, Inc. as presented, and authorizes the Town Manager or his designee to execute an agreement for said incentive, pursuant to approval by the Town Attorney as to form and legal sufficiency.

Discussion

Mr. Sitko, Economic Development Coordinator, explained to the Council that Salsco, Inc. is a manufacturing company for high end power equipment. It operates out of a 31,000 sq.ft. building off Schoolhouse Road; it has 55 employees; and the owner, Mr. Rizzo will construct a 9200 sq.ft. addition to support business growth, and will hire 5 to 10 more employees. Salsco is a good corporate citizen; has been in Town for more than 20 years; supports many charitable and civic causes; and Mr. Rizzo has applied for assistance through the incentive program. Based on the Town's policy and what Mr. Rizzo plans to do, we are looking at a 3-year tax assessment agreement. Savings to Salsco would be \$8100, and the Town would gain \$9900. Also, Mr. Rizzo plans to purchase \$150,000 of machinery and equipment to support his business expansion. Mr. Rizzo runs a good business; is one of the few manufacturers in the State; and has a good reputation. EDC supports this proposal which is consistent with the Town's incentive policy.

VOTE The motion passed 6-0 (Ecke absent from Chambers)

E. Authorization to apply for a Small Town Economic Assistance Program Grant for \$500,000 for West Main St. streetscape Improvements.

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

BE IT RESOLVED, that the Town Council approves Resolution #080106-6

RESOLUTION #080106-6

BE IT RESOLVED, that the Town Manager and staff are authorized to apply for a Small Town Economic Assistance Grant up to \$500,000 for the West Main Street streetscape improvements.

Discussion

Mrs. Esty noted that the Town received \$500,000 last year, and the Budget Committee held a brief discussion earlier in the evening on whether or not to apply for an additional \$500,000.

Regarding the West Main Street streetscape and the STEAP grant, Mr. Milone said that the Council contracted with Milone and MacBroom for variations of streetscape enhancements from Deepwood Drive to Grove Street. Three options were presented at costs of \$512,000, \$661,000, and \$770,000. The Council authorized application for the STEAP grant to support these improvements, and the Town was awarded a \$500,000 grant two months ago. In the capital budget this is one of the capital budgets for \$850,000 which is sufficient money to support all of the options proposed by Milone and MacBroom, and leave enough money for increase in the costs.

The reason why Mr. Milone is asking the Council for approval to apply for another grant is that word has been received that the State will be accepting proposals for a STEAP grant. The West Main Street project is very compatible with the type of things the State looks for in economic development assistance. The \$500,000 already received will not be sufficient to do all the things outlined in the original proposal.

The basic \$500,000 would do the basic streetscape improvements; the additional \$150,000 would be for the stamped concrete walks and drives; \$150,000 would be for the lighting. Therefore, Mr. Milone said he and Mr. Voelker and Mr. Sitko thought the Council should look for further grant funds to support this project.

Mr. Sitko advised that time is of the essence; that a representative from the Office of Policy and Management (OPM) advised that the grant should be in as soon as possible; and all the data is ready to go for grant submission. The EDC requested another \$400,000 in the capital budget, and this was reduced to \$350,000. The additional funds would support other things for this project and to get it completed, as well as inflation and equipment costs. The estimate was done in early 2005; the STEAP grant was submitted in September 2005; and it took 10 months for the State to get back to the Town on the grant award. Other towns have applied for round #2 of STEAP improvements, and Cheshire should be aggressive in pursuing grant opportunities. This grant request could be on the Bond Commission in October.

Mrs. Esty stated her understanding of how the Town will need more than \$500,000 for this project, but the present Town Council has not seen the plans to make a determination and decide which option makes sense. She likes to get

grant money, and this project will be helpful to the businesses and beautification of the Town. But, there are also some other real needs as opposed to wants which will require the Town going to the State for funding. She has concerns about asking for money which may be in excess of what is needed, beyond needs into the wants category. This will make it harder to go to the State and taxpayers for things for which money is really needed, and this is her qualm about this. Mrs. Esty said the additional money is still tax dollars, coming out people's pay checks, and is it that valuable that we should be asking for it.

The skateboard park funding was raised by Mrs. Esty who noted that some people were unhappy with this project because some felt there was a misuse of tax dollars.

The water pollution control is a serious need, and not a want, and Mrs. Esty said this will require State money. There are other important issues which have been talked about and for which the Town must approach the State. Therefore, Mrs. Esty said she has some misgivings about asking for a full \$500,000, and is unsure \$1 million is a good investment in that very small area of Town. She also has concerns about crossing West Main Street/Route 70.

In response to Mrs. Esty's comments, Mr. Sitko agreed this Council has not seen the plans. These plans would not go forward without Council approval. All that is being asked for now is authorization to apply for a grant; it does not have to be accepted.

Stating he respects Mrs. Esty's concerns, Town Manager Milone said this is putting the cart before the horse. The fact is that the Council would feel comfortable going through the capital budget process, review the project in detail, tear it apart, and then go forward with a comfort level knowing what is wanted. But, we do not have that luxury at this time, and if the Town does not move on this grant application, it loses the possibility of being able to apply for this round of grants. The State wants to accelerate this process and make decisions in the next few months. All of this is being driven by the State process.

Chairman Hall said this is all being driven by the date of the November election.

Mr. Sitko reported that the committees he works with, Economic Development and Beautification have considered this issue, are energized by it. EDC would like stamped concrete in this area of Town, and there are citizens interested in being on a committee to review this project. Right now, all that is being asked for is authorization to apply for the grant.

According to Mr. Schrumm the Town should apply for this STEAP Grant. He does not think there is any danger of losing WPCA money because this grant is being applied for; they are different grants out of different buckets of money; and taking a longer view also states this project would not begin for 2 years. There

should be a meeting held to figure out all the ramifications of this project, and what would be done if the \$1 million in grants is awarded, or only have \$500,000. Mr. Schrumm does not believe the Town can afford to spend \$350,000 of local funds for this project. There are some things in the West Main Street part of Town; there are things happening there with some of the businesses; and if things go the right way, this part of Town can look different than it does today. This area has historic buildings and used to be the center of commerce for Cheshire. The Linear Trail issue must be revisited; there must be pedestrian traffic for the businesses in the area; there may be a change of use for some buildings in the area; and there will be more tax dollars with higher assessments of rehabilitated commercial buildings. Mr. Schrumm said there are many issues with the proposed project, and the Council should go forward with thinking it all through.

Without this grant, Mr. Ruocco asked whether the \$350,000 appropriation of local funds would qualify for a referendum vote.

Mr. Milone replied that it would not be a referendum issue because this is commitment of local dollars is below the referendum level. It must be commitment of local money in excess of \$350,000 for referendum.

Mr. Ruocco commented on his concerns about a project like this becoming a reality after what happened last year with the vote on the Linear Trail. This project will be conducive to pedestrian traffic in a village type atmosphere, and at this time this area is not a pedestrian zone. Without establishment of store fronts and village type atmosphere, Mr. Ruocco is unsure that sidewalks and lamp posts will help very much, and with a connecting trail and a destination it might work. However, the public has already spoken on the trail issue. He would support asking for another \$500,000 without any local funds being dedicated to this project. This project must be given a serious look during the capital planning process to determine whether or not the Town wants to develop this area in a pedestrian setting.

Chairman Hall agreed with Mr. Schrumm that this project and area should be part of an integrated discussion about this area of Town. In its present state, the area is not pedestrian friendly, and this project will be discussed during the capital budget discussions. Mr. Hall said it is frustrating to have Mr. Sitko come before the Council expressing urgency based on a phone call from OPM, and for the Council to have to plan this way.

As far as the skateboard park is concerned, Mr. Hall said a certain amount of funding was needed; there was excess funding received; and it all had to be spent on the skateboard park. Mr. Hall is willing to authorize the application for the grant, with the understanding there is leeway for funds to be used in another way.

In the last STEAP application, Mr. Schrumm said something was included about the Linear Park, and this same wording must be included again, because this might get a bridge or tunnel across West Main Street. There should be enough flexibility for spending the funds. In the past there have been feelers about condo units in this area of Town, and this would be an incentive for retailers in the area. Mr. Schrumm said the Council should have seen the plans, and should have had its act together. There is a possibility this could involve zone changes, involve Planning and Zoning, and the Council should be ready. Mr. Schrumm does not believe the Council would have been ready to make a decision on \$850,000 in the capital budget for this project. It would not have been able to take in this West Main Street issue in totality and make a decision. With this grant application, the Town has bought itself another 10 months to look at this project.

Mr. Hall said the Council should be prepared to have all of its capital budget projects ready and netted to go at any time for the next time there is more STEAP grant money available.

Mrs. Esty wants inclusion of exploration of pedestrian crossing of Route 70 included in the grant application. She supports discussions now about options with the State on this State road, and this is already an issue for the businesses in the area. There should be a joint meeting with EDC, P&Z, and the Council, with a series of presentations, and special meetings to review the options, pros and cons, what can be envisioned in this area of Town, and what will be the results and achievements of spending this money.

With regard to the grant funds, Mr. Ruocco asked if there is a stipulation on where the funds must be used and dedicated.

The language in the prior STEAP grant submission were read by Mr. Milone into the record...*Construct streetscape improvements along West Main Street commercial area, Grove Street to Deepwood Drive, including the entrance to the Farmington Canal Linear Park.* Mr. Milone said this is the designated area, and in the explanation, it talks about *“the future extension of the popular and nationally recognized Farmington Canal Linear Park which will run through West Main Street commercial area presents the Town with a significant revitalization opportunity...”*

Mr. Milone said the area is clearly defined, and woven into that was the extension of the Linear Park which could be amplified more in the next round if the Council finds this as a continuing concern.

Mr. Ruocco asked about the Cornwall Avenue to West Main Street section of the trail going to referendum and being approved.

Mr. Milone said it did not go to referendum because \$800,000 was appropriated, and it was expected to have 80% federal reimbursement or \$640,000. This is no longer the case; it is now down to about \$397,000 reimbursement, and when the project goes forward it will have to go to referendum.

Stating he shares some of Mrs. Esty's concerns, Mr. Altieri said if Cheshire does not get this money, another town will get it. Over the next few weeks the Council should share the plans for the streetscape. He commented on the appropriate use of planning money to ensure that what we have on the books will be right for the area. He sees this area as having tremendous potential, but it will take a lot of public and private funding to get the area to a village state. The Linear Trail must also be addressed – how to bridge or tunnel it – and he would like the State to pick up the costs for this. If the next grant is received, what is specifically done with the funds must be addressed by the Council.

During the August 16th bus tour, Mr. Milone said there will be a visit to the West Main Street area, and he will assemble the materials as part of the packet for the tour.

PUBLIC COMMENTS

Matthew Jalowiec, 496 Jarvis Street, addressed the Council, stating the Linear Trail and West Main Street are hot issues. Now there is more talk about the same plan from 2 years ago; nothing has changed; and the big issue then was safety. He quoted Mr. Altieri from the debates last year regarding the safety issues on West Main Street. He hopes the Council reviews the issues in committee as far as what changed from last November that this was unsafe. There has been no planning since November, so if it was not good enough in November, why is it good enough now. It was stated by Mr. Ruocco that if we take the \$500,000 we have, and take below the amount required for referendum, then essentially the Council could just pass the resolution and get it done without public approval on the same plans from November. This was a campaign issue last year. Mr. Jalowiec said it sounds like we're taking the same plan, completion of the Linear Park would be great, redevelop West Main Street, take money without taxpayer's approval, and earmark it, taking the plan which was for referendum and approve it. Mr. Jalowiec said this just does not sound right, and he has not heard about safety changes, but they could come up in revised plans or addendums. He asked the Council to take this into consideration since it is a concern for many people. On a personal level, he wants the Linear Trail finished and West Main Street revitalized. But, if it was not good enough in November because of safety issues...what has changed? This must be answered; did we figure out a way to get over Route 70?

In response, Mrs. Esty stated that the clear and simple answer is that the Council is not looking at the Linear Park. The referendum was on the Linear Park. Although they are related and both have connections to economic development, the Council is discussing a STEAP grant, not a bonding issue. The grant has to

do with the streetscape, and the connection to the Linear Park is at the suggestion to permit use of State money to enhance the entry to the park on either side of West Main Street. This is not an end run around the proposal before the voters...although they are related in ultimately what happens to the Linear Park...they are not the same thing. This must be very clear to the public. The Linear Park is designed as a pedestrian trail to go over great distances, and is different from economic development for businesses which people drive up to in their cars. We are talking about enhancement to make the area more pedestrian friendly. There still is the issue of crossing the street, but that is for commercial purposes, which is different from the recreational use of the trail. The trail is used by disabled people, children in strollers, children walking...so they are different, but connected issues, and not the issue before the voters. It is not a bonding issue, nor a commitment of Town funds, but a question of authorization for Mr. Milone to seek State money for the enhancement on either side of West Main Street. In the future when it is figured out to get an access between Cornwall and West Main, there will be an issue.

This is something to be discussed, and Mr. Jalowiec said it is a slippery slope , and is something which will have to be discussed, involving the Cornwall Avenue entrance to the trail. He is unsure if traffic studies have been done, and whether numbers are disparate between use of the trail versus commercial traffic. With revitalization of both sides there will be traffic on both sides, and there will still be a crossing issue to be looked at before the Town takes money. Mr. Jalowiec said he understands it is for the economic end versus the trail, but we are still dealing with an influx of people with the same area of safety in crossing. The Council should keep this in mind, look at changes made for safety, and look at Farmington CT and Route 4 and what they are doing.

Mr. Altieri said that the November referendum issue was different than this issue. It was for money for the Linear Trail, and this is a streetscape and different project. He still has the safety concerns; there is no plan for a safe crossing; and he will raise this issue again when the time is right.

Ray Squire, 291 Cook Hill Road, expressed his thoughts about crossing West Main Street completely; do not bridge this problem now; end the Linear Trail from Cornwall to West Main Street. This might move the development of West Main Street forward, and then cross the bridge of the north part of the trail to the future. He believes the bridge will be the failure for the whole development of the west end. Mr. Squire said the Town should complete the walkway to West Main Street, and get the development done, and consider the crossing of West Main Street sometime in the future.

Robert DeVylder, 350 Jinny Hill Road, stated he was confused as to where the Council is going with this. He heard plans are in the works for residential use in this area of Town, but it can only be done in this commercial area. This is a conflict after getting the \$1 million on whether it can be spent on this project, and

the talk is 2 years down the road to start the project. He asked when the State will replace the 12 inch tile that the canal flows through. The flooding problem must be fixed before building a sidewalk on top of it. He commented on patterned concrete and bricks which would be very difficult for trucks to go over and said it would not work. We are spending \$1 million; the ugly telephone poles are not being replaced; the architect pictures show the streetscape with no traffic signs, parking signs, left turn only signs, etc. None of this is being addressed. He is waiting for a public hearing on this so everyone can join in on what they perceive for this project. The people in the area have told him that no one has talked to them in over a year about what they would be interested in for the area. According to Mr. DeVylder, West Main Street is not a safe area; there have been pedestrian fatalities; this is a disaster waiting to happen; there are tractor trailers coming down the hill with jack brakes. He said it is an ill conceived idea, and stated Huxley site on South Main Street is an eyesore. The West Main Street project must have more thought.

Mr. Sitko reported that 3 letters have gone to the property owners in the last year and a half to let them know what is going on.

Bill Kunde, Park Place, said he has an issue with \$500,000 STEAP grant and a \$350,000 appropriation from the capital budget. Now, the Council is talking about another \$500,000, and Mr. Kunde asked whether \$1,350,000 is the new number for this project. This should be properly explained to the public. Appropriation of funds just under the referendum number raises flags. There are safety issues; there should be contact and discussions with the property owners; and people will have to walk or ride a bike to a pedestrian mall when the work is done. There could be creation of an economic zone, but you still need to get people there. For the most part, there is heavy truck traffic in this area, and people must drive to every business in the area. This project must be looked at in total. Just because an area is beautiful does not mean people would go there; there must be something to make people come; and it must be convenient. Mr. Kunde stated that just because the State is giving away money does not mean the Town must accept it. He does not think the Town should ask for another \$500,000 because there is not a total plan or feedback from the property owners. He wants people to participate and make the decision. He would not accept the \$500,000 unless there is a caveat that the Town can give it back.

Mr. Jaloweic questioned changes in the landscaping of the area, and the DOT input into the plans.

Mr. Milone said there has been no DOT input, but the DOT would be involved in the culvert and funding.

Mr. Sitko advised that the PW Director Michaelangelo has reached out to DOT on updating the culvert and run the plans by them.

According to Mr. Schrumm this stretch is part of the Regional Northeast National Trail from Boston to Washington D.C. There are organizations working with the state and federal governments to make this trail work.

VOTE The motion passed 6-0 (White absent from Chambers)

**F. Discussion re: Collective bargaining negotiations
(possible executive session)**

8. TOWN MANAGER'S REPORT AND COMMUNICATIONS

A. Monthly Status Report

B. Departmental Status Reports.

C. Other Reports.

- FY '06 Financial Report – Mr. Milone referred to agenda item 7B which included other documents prepared by Ms. Ryan and Mr. Jaskot. On the 2nd page, Ms. Ryan did a good job summarizing where the Town is with the fiscal year 2006 results. There is projection of a surplus of \$2,154,299; the fund balance is at \$6.6 million or 7.9% of the operating budget; and most of the surplus comes from the revenue side. There is projection of a \$12,000 pool surplus, and \$80,000 fund balance in the Waste Water Treatment Plan Account. Medical benefit trust fund account for the Town will be about \$200,000 more than last fiscal year, and the BOE medical benefit trust fund will also be \$200,000 greater.
- Road Reconstruction improvements – 6 roads improvements were planned; 3 are well underway (Harrison Road, Wiese Road and Peck Lane). There have been major drainage improvements on Harrison and Wiese Roads. In the past milling and repaving were done quickly thereafter, but there has been a delay on Harrison and Wiese for paving. Mr. Milone informed the Council that a press release has gone out on this issue. The Town has traditionally used the State bid contract for road repaving, and it has been discovered that the Town is at the mercy of the paving company. They come when they are ready to come, do what they want to do based on the generic contract developed by the State, and they charge an hourly rate, not a project rate. This becomes more costly for the Town to finish the project. PW Director Michaelangelo reviewed the State contract, and realized prices are higher than expected. Putting the projects out to bid and hiring our own paving company will save considerable money. Unfortunately, it has created the delay which will last another 3 or 4 weeks. In the interim, the Town will continue on Wiese Road and Harrison Road, do as much patching as possible and the paving will be done, with savings to the Town.

- Emergency Management/Extreme Heat Precautions – the Town has issued a press release and alerted the public on precautions to be taken with the extreme heat; there will be facilities available for the public if there is a black out; CL&P has advised the Town that they are confident that the power grid is fine.
- Webster Correctional Facility – The Department of Corrections has informed the Town that another 100 inmates will be housed at the facility on a temporary basis. The Prison Advisory Committee is aware of this situation and has advised the Town Manager that it is okay.
- Proposed Post Office Status – plans have gone to the P&Z Commission, and it is expected there will be a ground breaking in the fall.
- Strathmore Dam Status – Attorney Knott received a frustrated call from Dick Fiske of Strathmore Corp. who advised that the DEP is not returning his calls. Mr. Knott received names and phone numbers from Mr. Fiske and is working with Mr. Milone and Mr. Michaelangelo on getting the DEP report. In the next month he hopes to be able to communicate with the State in order to get a date for receipt of the report. The inspection of the dam has been completed.
- Flooding Issue on Allen Avenue – Mr. Milone met with residents about valid concerns about the flooding problems. There is a detention pond in Meriden which breached and caused the flooding. There is a need to identify the pond, determine what happened, and there will be a meeting with Meriden officials. It seems to be caused by a development taking place on the Meriden side of this area of Cheshire.

Mr. Ruocco said there are two detention ponds, and he knows that one gave out, and the pond upstream does not hold water.

- Bulky Waste & Scrap Metal Collection – the program begins September 18th for 5 weeks; bulky waste pickup will take place based on the day of regular pickup, i.e. Monday pickup will have bulky waste picked up the first week of the program.
- Boulder Knoll Farm RFP – this RFP is being completed and will be reviewed by the Town Attorney.
- Upcoming meetings – August 16th, 5:30 p.m. Budget Comm./Town Council (bus tour); August 21st, 6 p.m. Budget Comm./Town Council; August 23rd, 6 p.m. Budget Comm./Town Council; August 24th (if necessary); August 28th, 7:30 p.m. public hearing-Capital Budget; August 29th, 7:30 p.m. – S.M. Capital Budget.

With regard to the fireworks display and appropriation by the Council, Mr. Schrumm stated that during next year's budget process, the Council should make a decision on whether to fund the fireworks at the fall festival. In this way, the Chamber of Commerce would have advance notice. Mr. Schrumm believes this item should be budgeted ahead in fairness to the Chamber of Commerce.

Mr. Altieri reported that he has received phone calls from Wiese Road residents regarding the stone used on the road which can slice a car tire. There was a recommendation from a resident to take the stone away from the road.

There are pot holes to be addressed, and Mr. Milone said that the PW Department will stay on top of this problem until the road is paved.

Attorney Knott addressed the FOI letter of complaint in the Council packets, and this must follow administrative procedure. He does not see a valid claim, but it must be explained to FOI officials, and he will provide the Council with copies of what will be filed.

Chairman Hall commented on a letter received regarding the usage of Quinipiac fields by a group with no connection to the Town other than a few players. This is an issue which can be addressed through staff. In September, the Parks and Rec Commission and Human Services Committee and staff could be invited to a Council meeting to discuss relevant issues.

Attorney Knott advised that last year he worked with Mr. Ceccolini and Mr. Milone on creation of a field policy which is in existence and the Council should have a copy of the policy. Last year there was a lot of consternation about fees and how fields are doled out, and the policy is in effect.

9. TOWN ATTORNEY'S REPORT AND COMMUNICATIONS.

10. REPORTS OF COMMITTEES OF THE COUNCIL.

A. Chairman's Report.

B. Committee Reports.

Ordinance Review – Mrs. Esty advised that the committee will meet in September to discuss issues forwarded to the committee.

C. Miscellaneous

**11. APPROVAL OF MINUTES
Regular Meeting of July 11, 2006**

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

MOVED that the Town Council approve the minutes of the Regular Meeting of July 11, 2006 subject to corrections, additions and deletions.

VOTE The motion passed unanimously by those present.

12. MISCELLANEOUS AND APPOINTMENTS

A. Liaison Reports.

B. Appointments to Boards and Commissions

MOTION by Mr. Schrumm; seconded by Mr. Ruocco.

MOVED that Tali Maidelis, (R) be appointed to the Environment Commission to replace Denise Condron, term of office current to 1/31/09.

VOTE The motion passed unanimously by those present.

13. COUNCIL COMMUNICATIONS

A. Letters to Council

B. Miscellaneous

Mr. Altieri reported that he and Mr. Ecke participated in the Chamber of Commerce Golf Tournament at the Farms Country Club, and the event was a great success.

14. EXECUTIVE SESSION

A. Pending Claims and Litigation

B. Land acquisition

C. Personnel Matters

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

MOVED that the Town Council enter Executive Session at 9:50 p.m. to include the Town Manager for all matters, and Dave Vincent, Actuary, and Finance Director Ryan for personnel matters.

VOTE The motion passed unanimously by those present.

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

MOVED that the Town Council exit Executive Session at 10:30 p.m.

VOTE The motion passed unanimously by those present.

15. ADJOURNMENT

MOTION by Mrs. Esty; seconded by Mr. Altieri

MOVED that the Town Council adjourn the Special Meeting of August 1, 2006 at 10:31 p.m.

VOTE The motion passed unanimously by those present.

Attest:

Marilyn W. Milton, Clerk
Cheshire Town Council