



**MINUTES OF THE TOWN OF CHESHIRE
TOWN COUNCIL REGULAR MEETING
7:00 PM, TUESDAY, FEBRUARY 10, 2026
COUNCIL CHAMBERS, 84 SOUTH MAIN ST., CHESHIRE, CT 06410**

Present:

Peter Talbot, Don Walsh, David Veleber, Fiona Pearson, Tricia Cramer, Greg Wolff, Jim Jinks, Lou Todisco, Deb Manke

Staff/Guests: Sean M. Kimball, Town Manager; Andrew Martelli, Assistant Town Manager; Town Attorney Jeffrey Donofrio; Jim Jaskot, Finance Director; Jack Casner, Fire Chief; Mike Kozlowski, Fire Marshal; Kate Glendon, Chesprocott Health District Director

Absent:

Peter Talbot called the meeting to order at 7:05 p.m.

1. ROLL CALL

Noelle Shepard called the roll, and a quorum was present.

2. PLEDGE OF ALLEGIANCE

3. PUBLIC COMMUNICATIONS

A. Update from Chesprocott Health Director Kate Glendon.

Kate Glendon explained that the Chesprocott Health District has eased into their new building. Their team is fully staffed. She updated that the District was busy during flu season providing 100 flu vaccines and has also been working with Cheshire Academy to provide routine childhood immunizations. She mentioned that Chesprocott has also completed two successful audits. The District website was revised. They have been staying engaged in the community by participating in wellness fairs and are also active with Elim Park community. She explained that they are currently working on updating their community health assessment.

B. Public comments.

Joe Bandurski, 153 Lancaster Way, explained that his tax bill this past year went up by \$800 dollars. He inquired if the establishment of the TIF district on Route 10 off 691 had to go through referendum.

Peter Talbot explained the TIF district's purpose was to reimburse the developer for the infrastructure that they built in that area. Attorney Donofrio confirmed that the TIF district creation was approved by the Town Council after a public hearing. Sean Kimball mentioned that the pump station in that area was built by the developer and is now owned by the Town. He explained that the funds are not for private improvements; it is for the public infrastructure that serves the Town.

Jim Jinks arrived to the meeting at 7:20 p.m.

Joy VanderLek mentioned that she was in attendance to speak on the beekeeping at Boulder Knoll and asked that the Town not renew the lease. She explained detrimental affects of beekeepers to native bees and referenced articles such as one from the Washington Post.

4. APPROVAL OF MINUTES

A. Minutes of January 27, 2026 Town Council Special Meeting.

Jim Jinks motioned to approve the meeting minutes, and David Veleber seconded the motion. All in favor, the motion passed, 8-0-1, Tricia Cramer abstained.

5. CONSENT CALENDAR

- A. Acceptance and appropriation of a \$200.00 donation from John Purtill to the Library Gift Account for general purposes.
- B. Acceptance and appropriation of \$1,442.00 from the Senate Bill 2 Incentive Grant to the Library to be used for general purposes.
- C. Acceptance and appropriation of a \$50.00 donation from Jean Sheeley to the Cheshire Police Department Gift Account for general purposes.
- D. Acceptance and appropriation of a \$10.00 donation from Regina Schiavi to the Cheshire Police Department Gift Account for general purposes.
- E. Acceptance and appropriation of a \$250.00 donation from the Lady Fenwick Chapter of the Daughter's of the American Revolution to the Parks and Recreation Gift Account for the Semiquincentennial Celebration.
- F. Acceptance and appropriation of a \$550.00 donation from The Bowman Corporation, R.W. Hine Hardware to the Human Services Gift Account for general purposes.

- G. Acceptance and appropriation of a \$5,000.00 donation from Hope for Our Neighbors, Inc. to the Human Services Gift Account for emergency shelter for unhoused individuals and families.
- H. Acceptance and appropriation of a \$250.00 donation from Cheshire Lutheran Church to the Human Services Gift Account for general purposes.
- I. Acceptance and appropriation of a donation in the amount of \$525.00 from the Parks and Recreation 2025 Scarecrow Contest to the Human Services Gift Account to help residents in need.
- J. Acceptance and appropriation of a \$3,750.00 donation from Hope for Our Neighbors, Inc. to the Human Services Gift Account to be used for long term housing.
- K. Approval of tax refunds in the amount of \$14,533.15.

Fiona Pearson motioned:

BE IT RESOLVED, That the Town Council approves Resolution #021026-1

BE IT RESOLVED, that the Town Council approves the Consent Calendar for February 10, 2026, as follows:

- A. Acceptance and appropriation of a \$200.00 donation from John Purtill to the Library Gift Account for general purposes.*
- B. Acceptance and appropriation of \$1,442 from the Senate Bill 2 Incentive Grant to the Library to be used for general purposes.*
- C. Acceptance and appropriation of a \$50.00 donation from Jean Sheeley to the Cheshire Police Department Gift Account for general purposes.*
- D. Acceptance and appropriation of a \$10.00 donation from Regina Schiavi to the Cheshire Police Department Gift Account for general purposes.*
- E. Acceptance and appropriation of a \$250.00 donation from the Lady Fenwick Chapter of the Daughter's of the American Revolution to the Parks and Recreation Gift Account for the Semiquincentennial Celebration.*
- F. Acceptance and appropriation of a \$550.00 donation from The Bowman Corporation, R.W. Hine Hardware to the Human Services Gift Account for general purposes.*
- G. Acceptance and appropriation of a \$5,000.00 donation from Hope for Our Neighbors, Inc. to the Human Services Gift Account for emergency shelter for unhoused individuals and families.*
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- I. Acceptance and appropriation of a donation in the amount of \$525.00 from the Parks and Recreation 2025 Scarecrow Contest to the Human Services Gift Account to help residents in need.*
- J. Acceptance and appropriation of a \$3,750.00 donation from Hope for Our Neighbors, Inc. to the Human Services Gift Account to be used for long term housing.*

K. Approval of tax refunds in the amount of \$14,533.15.

The motion was seconded by Don Walsh. All in favor, the motion passed unanimously, 9-0.

6. ITEMS REMOVED FROM CONSENT CALENDAR

7. OLD BUSINESS

None.

8. NEW BUSINESS

- A. Call for public hearing on amendments to ordinance Section 13-32 Regulation of peddlers and solicitors.

Lou Todisco motioned:

BE IT RESOLVED, That the Town Council approves Resolution #021026-2

BE IT RESOLVED, that the Town Council will hold a public hearing at 7:00 p.m. on Tuesday, March 10, 2026 in Council Chambers, Town Hall, 84 South Main Street, Cheshire, Connecticut, to consider the adoption of amendments to the Section 13-32 Regulation of peddlers and solicitors ordinance as follows:

Sec. 13-32. Regulation of peddlers and solicitors.

(a) Purpose. This section is enacted to protect against criminal activity including fraud and burglary, to minimize the unwelcome disturbance of citizens and the disruption of privacy and to otherwise preserve the public health, safety and welfare by regulating, controlling and licensing solicitors and peddlers.

(b) Definitions. The following definitions shall apply to this section:

Peddler, as used in this section, means any person, whether principal or agent, who goes from town to town or place to place in the town selling, bartering, exposing for sale or barter, or carrying for sale or barter, either privately or publicly, any goods, wares or merchandise, either on foot or from any animal or vehicle. This definition shall not apply to those who sell or barter at a private residence at the invitation of the owner or occupant of said residence in conformity with the zoning laws of the town.

Peddling includes all activities ordinarily performed by a peddler as indicated above.

Person, as used in this section, means a natural person or any firm, corporation, association, club, society or other organization.

Soliciting includes all activities ordinarily performed by a solicitor as indicated below.

Solicitor, as used in this section, means any person who goes upon the premises of any private residence in the town, not having been invited by the occupant thereof, for the purpose of taking or attempting to take orders for the sale of goods, merchandise, wares or other personal property of any nature for future delivery, whether or not deposits or advance payments are collected. This definition also includes any person who, without invitation, goes upon private property to request

contributions of funds or anything of value, or sell goods or services for political, charitable, religious or other noncommercial purposes.

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

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

The motion was seconded by Fiona Pearson. All in favor, the motion passed unanimously, 9-0.

- B. Call for public hearing on amendments to ordinance Section 16-6 Fats, oil, and grease (FOG) management.

Lou Todisco motioned:

BE IT RESOLVED, that the Town Council approves Resolution #021026-3

BE IT RESOLVED, that the Town Council will hold a public hearing at 7:00 p.m. on Tuesday, March 10, 2026 in Council Chambers, Town Hall, 84 South Main Street, Cheshire, Connecticut, to consider amendments to the Section 16-6 Fats, oil, and grease (FOG) management ordinance as follows...(Motion in full is attached to the minutes).

The motion was seconded by Greg Wolff. All in favor, the motion passed unanimously, 9-0.

- C. Call for Public Hearing for March 12, 2026 for the FY 2026-2027 General Operating Budget, Water Pollution Control Department Fund Operating Budget, and Community Pool Fund Operating Budget.

Peter Talbot clarified that the date was amended from the agenda to Wednesday, March 11, 2026.

Fiona Pearson motioned:

BE IT RESOLVED, That the Town Council approves Resolution #021026-4

BE IT RESOLVED, that the Town Council will hold a public hearing at 7:00 p.m. on Wednesday, March 11, 2026 in Council Chambers, Town Hall, 84 South Main Street, Cheshire, Connecticut, to consider the proposed General Fund Operating Budget for fiscal year 2026-2027, the proposed Water Pollution Control Department Fund Operating Budget for fiscal year 2026-2027, and the Community Pool Fund Operating Budget for fiscal year 2026-2027, 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 further postponements thereof shall be determined by the Town Manager with the approval of the Chair of the Council.

The motion was seconded by Don Walsh. All in favor, the motion passed unanimously, 9-0.

D. Authorization to hire a part-time Fire Inspector.

Deb Manke clarified that it is a full-time position rather than part-time. She motioned:

BE IT RESOLVED, That the Town Council approves Resolution #021026-5

BE IT RESOLVED, that the Town Council hereby approves the hiring of a full-time Fire Inspector and authorizes the budget allocation for said position as presented.

The motion was seconded by Fiona Pearson. Sean Kimball explained that there is a great candidate that is ready to be appointed and start class on February 18th. This will end up being a savings to the Town. Don Walsh mentioned that the Fire Marshal's Office received over \$200,000 back in Fire Marshal inspection fees, and he fully supports the position. All in favor, the motion passed unanimously, 9-0.

E. Approval of Hearing Officer agreement.

Greg Wolff motioned:

BE IT RESOLVED, That the Town Council approves Resolution #021026-6

BE IT RESOLVED, that the Town Council approves the successor appointment of Bruce W. Diamond as Hearing Officer for the term April 1, 2026 through March 31, 2027, and further approves and authorizes the Town Manager to execute the Agreement for said appointment per the terms and conditions as presented and attached.

The motion was seconded by Fiona Pearson. All in favor, the motion passed unanimously, 9-0.

F. Approval of CT Beekeepers Association lease extension for Boulder Knoll Parcel.

Fiona Pearson motioned:

BE IT RESOLVED, That the Town Council approves Resolution #021026-7

BE IT RESOLVED, that the Town Council approves the First Lease Amendment for a two-year term with the Connecticut Beekeepers Association, Inc. of 49 Old Sherman Hill Road, Woodbury, CT for Parcel B at 866 Boulder Road as presented, and

BE IT FURTHER RESOLVED, that the Town Council authorizes Town Manager Sean M. Kimball to execute this lease amendment pursuant to the terms and conditions as presented and the approval by the Town Attorney as to form and function.

Jim Jinks seconded the motion.

Don Walsh motion to table this item and ask town staff or the Environment Commission to further look

into this matter. Fiona Pearson seconded the motion to table. All in favor, the motion to table passed, 9-0.

G. Amendment and reinstatement of Town Pension Plan document.

Jim Jinks motioned:

BE IT RESOLVED, That the Town Council approves Resolution #021026-8

WHEREAS, the Town of Cheshire (the "Town") sponsors the Retirement Plan for the Employees of the Town of Cheshire, originally effective January 1, 1988 (the "Town Retirement Plan"); and

WHEREAS, Code of Ordinances Section 2-131(e) provides that the Town Council may adopt and amend retirement plans at any time; and

WHEREAS, pursuant to Part 4-Article 5.1 of the Town Retirement Plan, the Town is authorized to amend the Town Retirement Plan by action of its Town Council; and

WHEREAS, the Town wishes to amend and restate the Town Retirement Plan, effective July 1, 2025, to reflect the applicable provisions of the Town of Cheshire's Personnel Rules & Regulations and the collective bargaining agreements in effect between the Town of Cheshire and the Town of Cheshire Board of Education and the unions representing their respective employees who are Members of the Town Retirement Plan.

NOW, THEREFORE, be it hereby:

RESOLVED, that the Town Council hereby approves and adopts the July 1, 2025 amended and restated Town Retirement Plan, in substantially the form attached hereto; and

FURTHER RESOLVED, that the Town Manager be, and he hereby is, authorized, empowered and directed to execute and deliver, on behalf of the Town, the July 1, 2025 amended and restated Town Retirement Plan, in substantially the form attached hereto, with all changes as the Town Manager shall approve as being in the best interests of the Town, his execution and delivery thereof to be conclusive evidence of such approval, and to take any and all such additional actions as he deems necessary or appropriate in order to implement the same.

The motion was seconded by Fiona Pearson. Jim Jaskot explained that this is just to get the plan document consistent with the collective bargaining agreements and personnel rules. All in favor, the motion passed unanimously, 9-0.

H. Authorization for the Human Services Department to apply for a DOT grant for a new Senior Center mini bus.

Tricia Cramer motioned:

BE IT RESOLVED, That the Town Council approves Resolution #021026-9

BE IT RESOLVED, that the Town Council hereby authorizes the application for CT Department of Transportation Section 5310 Grant in the amount of \$113,600 to fund the replacement of an aging mini bus at the Senior Center, and

BE IT RESOLVED, that the Town Council further authorizes a 20% municipal match in the amount of \$28,400, and

BE IT FURTHER RESOLVED, that the Town Council authorizes the Town Manager Sean M. Kimball to execute any and all necessary documents associated with said grant.

The motion was seconded by David Veleber. All in favor, the motion passed unanimously, 9-0.

- I. Authorization to apply for the CT State Library's 2027 Historic Documents Preservation Grant in the amount of \$6,000 for records conservation and preservation.

Tricia Cramer motioned:

BE IT RESOLVED, That the Town Council approves Resolution #021026-10

BE IT RESOLVED, that the Town Council hereby authorizes application for and acceptance and appropriation of the 2027 Historic Documents Preservation Grant in the amount of \$6,000 from the CT State Library for records conservation and preservation, and

BE IT FURTHER RESOLVED, that the Town Council authorizes Town Manager Sean M. Kimball to execute any and all agreements and documents necessary for said grant.

The motion was seconded by Fiona Pearson. All in favor, the motion passed unanimously, 9-0.

9. TOWN MANAGER REPORT AND COMMUNICATIONS

A. Monthly Status Report.

Sean Kimball explained that this month is different as the first copy of the newsletter, Cheshire Town Square, was released today. He credited Savannah Blantz-Maria for being the driving force for this and also credited department heads who contributed.

B. Department Status Reports: Police, Fire, Economic Development.

10. REPORTS OF COMMITTEES OF THE COUNCIL

A. Chairman's Report.

Peter Talbot read a statement regarding ICE.

Fiona Pearson updated that the budget workshop schedule is being finalized. Lou Todisco explained that an Ordinance Review Committee meeting was held involving the two ordinances sent to public

hearing tonight. The next meeting is scheduled for Wednesday, February 18th.

Peter Talbot referred two items:

- i. Referral of Ordinance Section 2-8 Fee Schedule to the Ordinance Review Committee for their review and recommendation.*
- ii. Referral of possible new ordinance re: issuing fines for snow in the road to the Ordinance Review Committee for their review and recommendation.*

- i. Referral of Ordinance Section 2-8 Fee Schedule to the Ordinance Review Committee for their review and recommendation.
- ii. Referral of possible new ordinance re: issuing fines for snow in the road.

B. Liaison Reports.

Tricia Cramer mentioned that the Environment Commission is busy.

Karen Schnitzer, 18 Currier Pl, explained that the Environment Commissioners felt the POCD was lacking for several reasons. The Planning and Zoning Commission will keep the hearing open and take their ideas into consideration.

Greg Wolff updated that on March 15th, the CPFA will be holding their Arts Day at the Youth Center.

Fiona Pearson mentioned that she could not attend the Parks and Recreation Commission, but the highlight of the meeting was reviewing the Bartlem Beats survey results.

Don Walsh updated that the Housing Authority met, and land at the Jacks Farms site has been cleared out in preparation to start building once the snow is gone. In addition, they are working on solar panels for Beachport. He further updated that the Town Beautification Committee spent a good amount of time discussing the Semiquincentennial celebration plantings.

C. Miscellaneous.

11. APPOINTMENTS

David Veleber motioned to appoint:

- o William Bonaminio, R, Town Beautification Committee, 2/10/2026-1/31/2028
- o Jessica Feustel, R, Town Beautification Committee, 2/10/2026-1/31/2028
- o Michael Ceccorulli, R, Economic Development Commission, 2/10/2026-1/31/2030
- o David Borowy, R, Economic Development Commission, 2/10/2026-1/31/2030
- o Ryan O'Grady, R, Energy Commission, 2/10/2026-1/31/2030
- o David Schrumm, R, Environment Commission, 2/10/2026-1/31/2030
- o Suzanne Duffy, R, Library Board, 2/10/2026-1/31/2030
- o Don Nidoh, R, Public Building Commission, 2/10/2026-1/31/2030
- o Mark Izzo, R, Retirement Board, 2/10/2026-1/31/2030

- o John Perrotti III, R, Water Pollution Control Authority, 2/10/2026-1/31/2029
- o Melissa Norback, U, Water Pollution Control Authority, 2/10/2026-1/31/2029
- o Phillip Belcher, R, Youth & Human Services Committee, 2/10/2026-1/31/2028
- o Susan Pappas, R, Youth & Human Services Committee, 2/10/2026-1/31/2028

Greg Wolff seconded. All in favor, the motion passed unanimously, 9-0.

Greg Wolff motioned to appoint:

- o Karen Schnitzer, D, Environment Commission, 2/10/2026-1/31/2030
- o Harold Kramer, D, Library Advisory Board, 2/10/2026-1/31/2030
- o John Nann, D, Library Advisory Board, 2/10/2026-1/31/2030
- o Mairead Duffy, D, Library Advisory Board, 2/10/2026-1/31/2030
- o Paul Fracasse, D, Parks and Recreation Commission, 2/10/2026-1/31/2030
- o Erin Mutty, D, Parks and Recreation Commission, 2/10/2026-1/31/2030
- o Ray Stewart, D, Parks and Recreation Commission, 2/10/2026-1/31/2029
- o Kristina Endriss, D, Performing and Fine Arts Committee, 2/10/2026-1/31/2029
- o Denise Lohr, D, Performing and Fine Arts Committee, 2/10/2026-1/31/2029
- o Lynne Gannon, D, Performing and Fine Arts Committee, 2/10/2026-1/31/2028
- o Sherry Stekloff, D, Youth & Human Services Committee, 2/10/2026-1/31/2028
- o Amy Russell, D, Youth & Human Services Committee, 2/10/2026-1/31/2028
- o Mandy Miller, D, Economic Development Commission, 2/10/2026-1/31/2030
- o Elizabeth Morin, D, Town Beautification Committee, 2/10/2026-1/31/2028
- o Cynthia Braga, D, Town Beautification Committee, 2/10/2026-1/31/2028
- o Tim Sullivan, D, Environment Commission, 2/10/2026-1/31/2030
- o Tony Falcone, D, Historic District Commission, Alternate, 2/10/2026-1/31/2031
- o Marian Hourigan, D, Historic District Commission, 2/10/2026-1/31/2031
- o Marj Chapman, D, Energy Commission, 2/10/2026-1/31/2030

David Veleber seconded the motion. All in favor, the motion passed unanimously, 9-0.

12. TOWN ATTORNEY REPORT AND COMMUNICATIONS

No report.

13. COUNCIL COMMUNICATIONS

A. Letters to Council.

Peter Talbot read a comment the Town Councilors received from Joanna Miller regarding the Senior Library Associate position.

B. Miscellaneous.

Don Walsh made note of the passing of John Perrotti, Jr., who had been a Town Councilor for several terms.

14. ITEMS FOR EXECUTIVE SESSION

Upon 2/3 vote, convene in executive session, pursuant to C.G.S. §1-200(6) to discuss matters concerning:

Peter Talbot motioned to go into executive session pursuant to C.G.S. §1-200(6) to discuss matters concerning pending litigation and land acquisition to include Town Attorney Donofrio, Town Manager Kimball, Assistant Town Manager Andrew Martelli, and Management Specialist Noelle Shepard. Jim Jinks seconded the motion. All in favor, the motion passed unanimously, 9-0. The Town Council entered executive session at 8:29 p.m.

A. Pending litigation.

B. Land acquisition.

15. ADJOURNMENT

David Veleber motioned to adjourn the meeting, and Don Walsh seconded the motion. All in favor, the motion passed unanimously, 9-0. The meeting adjourned at 9:48 p.m.

Attest: _____
Noelle Shepard, Management Specialist

BE IT RESOLVED, That the Town Council approves Resolution #021026-3

BE IT RESOLVED, that the Town Council will hold a public hearing at 7:00 p.m. on Tuesday, March 10, 2026 in Council Chambers, Town Hall, 84 South Main Street, Cheshire, Connecticut, to consider amendments to the Section 16-6 Fats, oil, and grease (FOG) management ordinance as follows:

Sec. 16-6. Fats, Oil, and Grease (FOG) Management

- (a) *Purpose.* The purpose of this section of the Sewer Ordinance is to aid in preventing the accumulation of fats, oils, and grease into the Town of Cheshire sanitary sewer system thus reducing the potential for sanitary sewer overflows. This Sewer Ordinance outlines the wastewater pretreatment requirements for food service establishments and other commercial facilities that have potential to discharge FOG in their wastewater flow. All new and existing facilities that discharge FOG in their wastewater are applicable to this program. This section of the Sewer Ordinance is an integral part of Cheshire's Ordinances in the application, administration, and enforcement thereof.
- (b) *Definitions.* For the purpose of this section, the following terms shall be defined as follows:

Fats, Oils and Grease (FOG): Any fats, oils and grease from the food preparation process as identified per the most current EPA method as listed in 40 CFR 136.3, as amended.

Food Service Establishment (FSE): Food service establishment means a **Class II**, Class III or Class IV food service establishment as defined by section 19-13-B42 of the State of Connecticut Public Health Code, Class 2,3 or 4 food establishments as defined by the FDA food code adopted by Connecticut Public Act limits in Section 5(c) (1) and (2) of the State of CT General Permit for the Discharge of Wastewater associated with FSE such as but not limited to, restaurants, hotel kitchens, hospital kitchens, school kitchens, bars, factory cafeterias, retail bakeries and clubs.

General Permit for the Discharge of Wastewater Associated with Food Service Establishments: The state of Connecticut Department of Energy and Environmental Protection General permit for the Discharge of Wastewater associated with Food Service Establishments issued October 5, 2016, and its subsequent updates. The general permit was formerly titled general permit for the discharge of wastewater associated with Food preparation establishments.

Active Grease Recovery Unit (AGRU): Active Grease Recovery Unit means an interior grease interceptor that separates grease from wastewater by active mechanical or electrical means as described in the general permit or discharge of wastewater associated with FSE issued October 5, 2016.

Super Capacity Grease Interceptor (SCGI): Super Capacity Grease Interceptor means an indoor passive unit, third party certified to retain more than four times the amount of pounds of grease than the flow rating in gallons per minute and is designed to separate FOG from wastewater while allowing water to flow through and meets specifications defined by section 5 (b)(3) of the general permit.

Grease trap/FOG interceptor: Grease trap/FOG interceptor means a minimum of 1,000 gallon outdoor, in-ground passive unit designed to separate fats, oils and grease from wastewater while allowing water to flow through and meets specifications defined in section 5(b)(1) of the general permit and the Town of Cheshire sewer Ordinance.

FOG Management Equipment: FOG management equipment means properly designed, installed, and operated equipment including AGRU, grease trap/FOG interceptors, SCGI, as approved by Cheshire, designed to meet the effluent limits defined in section 5(b)(1) of the general permit.

Connecticut Department of Energy and Environmental Protection (CT DEEP): CT DEEP is a state organization that oversees the operation of all potentially hazardous facilities in Connecticut. They are also the governing body that drafts policies and gives procedures and best practices for the construction, maintenance, and operation of Food Service Establishments (FSEs).

- (c) *Rules and Requirements.* FSE discharging wastewater into the Town of Cheshire collection system are subject to the following requirements which shall constitute the Town's FOG program.
1. Compliance with the general permit for discharge of wastewater associated with food service establishments.
 2. ~~Every three (3) years,~~ Every five (5) years, FSE's shall complete FOG registration or variance application forms supplied by Cheshire. All registrations and variances are non-transferable and must be submitted to the Town of Cheshire after any change in ownership or significant menu/facility change.
 3. Inspections performed by the Town of Cheshire to verify compliance with these requirements and those requirements of the general permit for the discharge of wastewater associated with FSE.
 4. Payment of any fees associated with this registration, variances, fines or violations, and reimbursement for costs associated with any emergency services provided by the Town of Cheshire.
 5. No FSE shall introduce any additives, including but not limited to, enzymes or surfactants as grease emulsifiers or degradation agents, into the FOG management equipment unless given prior approval by the Town of Cheshire.
- (d) *Fines and Fees.* Any fees associated with the Town of Cheshire's FOG Management Program shall be due and payable within thirty (30) days of the date of issue, and the Town is authorized but not required to approve an extension of time of the due date up to seven (7) days after the end of the billing period. One percent (1%) interest will be applied monthly to the unpaid balance, including previously applied interest, of all bills outstanding beyond thirty (30) days from issuance.
1. ~~*Annual Registration Fee.* An annual maintenance and inspection fee of seventy-five dollars (\$75.00)~~ A Registration Fee of one hundred fifty dollars (\$150.00) upon initial registration and every five years thereafter on renewal date will be due billed and payable for each FOG Class II, Class III or Class IV (or FDA Class 2, 3, and 4) FSE's. This will also include the review and approval of the Facility Registration Form and all required inspections.
 2. *Inspections Violation Fees.* The Town of Cheshire will perform inspections of the FSE to determine compliance with the Connecticut Department of Energy and Environmental Protection (CT DEEP) General Permit for the Discharge of Wastewater Associated with Food

Service Establishments. Each day that a violation continues shall be a separate occurrence of the violation.

See the following tables for violation descriptions and their corresponding fines:

Violation	Fine Amount (\$)
Failure to Submit Registration or Variance Applications	\$500
Disallow Inspection	\$250
No FOG Management Equipment Installed Revisit FSE for Re-inspection	\$200 \$100
No FOG or Non-Compliant FOG Management Equipment Installed	\$200
Failure to Maintain Grease Trap Cleaning, Inspection, and Maintenance Records	\$100
Failure to Maintain FOG Equipment in Proper Working Order	\$200
Failure to Clean FOG Management Equipment Quarterly or when 25% of the Depth of the Trap is Filled with Food Solids and FOG, Whichever Comes First	\$200
Failure to Properly Dispose of Brown and/or Yellow Grease	\$200
Source of Sewer Blockage	\$1000
Source of Sanitary Sewer Overflow (Minimum) – Actual Costs Will be Billed to the Facility for the Time and Materials Related to the Overflow	\$1000

3. The Town of Cheshire can perform emergency services to relieve grease blockages that result in sewer backups. If the Town determines that the blockage was caused by the business, the business will be billed for the work done to relieve it.

- (e) *Equipment Requirements.* Wastewater generated from an FSE shall be treated at the point of discharge to remove FOG using approved FOG Management equipment to meet the requirements of the general permit.

The FOG management equipment shall be connected to those fixtures or drains that would allow FOG to be discharged. This includes, but is not limited to pot sinks, pre-rinse sinks, soup kettles or similar devices, workstations, floor drains, automatic hood washing units, and any other fixture or drain that are likely to allow FOG to be discharged into the sewer infrastructure.

All FOG **Class II**, Class III or Class IV (or FDA Class 2, 3, and 4 FSEs) are required to install an Active Grease Recovery Unit (AGRU), Super Capacity Grease Interceptor (SCGI), or a minimum 1,000 gallon outdoor in-ground passive grease interceptor. Specifications for this equipment are outlined in the FOG General Permit.

1. *Active Grease Recovery Units (AGRUs).* AGRUs are a relatively small pretreatment unit located inside of a kitchen to remove grease at the source. These units allow FOG to accumulate locally, which is then moved with pumps (or skimmers) to another tank for disposal by a third-party.

All AGRUs shall be maintained in accordance with the manufacturer's instructions. These typically include a complete cleaning of the system on a quarterly basis, of which the contents shall be placed in a container specifically for grease trap waste, commonly referred to as "brown grease". A written log and proof of all maintenance operations for the unit is required to be kept on site and readily available for review by town staff.

2. *Super Capacity Grease Interceptors (SCGIs)*. SCGIs are passive units that are certified to retain more FOG material than an AGRU, and are typically used in large, commercial kitchens. These SCGIs shall conform to the specifications set in the FOG general permit.

All SCGIs shall be maintained in accordance with the manufacturer's instructions. These typically include a complete cleaning of the system on a quarterly basis, of which the contents shall be placed in a container specifically for grease trap waste, commonly referred to as "brown grease". A written log and proof of all maintenance operations for the unit is required to be kept on site and readily available for review by town staff.

3. *Outdoor In-Ground Grease Interceptors*. An outdoor in-ground grease trap is required to be emptied every 3 months (quarterly), or whenever 25% of the operating depth is occupied by grease and/or settled solids, whichever is more frequent. Following a minimum of one (1) year, the facility may request to extend cleaning beyond the quarterly period if the operating depth is not reached. The facility shall maintain a written log and receipts of any maintenance done to the system.

(f) *Variances*. The following are outlines for qualifying variances.

1. *Equipment Variances*. If an FSE has limited potential for discharging FOG into the sewer infrastructure, the establishment may request a variance for required equipment by contacting the Department of Engineering. If the variance is approved, it is valid for a total of five (5) years.
2. *Treatment Variances*. The Town of Cheshire may grant a variance of treatment requirements for a period of five (5) years. This variance will serve as a waiver to the treatment requirements of Section 5(b)3 of the CT DEEP General Permit and will be granted to FSEs that demonstrate a limited potential for FOG discharge. All requests for treatment variances shall be made to the Department of Engineering for approval.
3. *Reapplication for Variance*. An FSE shall be required to reapply for a variance thirty (30) days prior to the following events: the expiration date of the current variance (5 years after the approval date), any significant menu change, FOG or FDA reclassification, or a change in ownership. All variances are subject to approval by the Department of Engineering.

(g) *Inspections*. FSEs shall be subject to inspection by the Town of Cheshire on a regular basis to determine whether the requirements set forth in this ordinance and the CT DEEP General Permit are being met. Inspection may include but are not limited to: inspections of FOG management equipment, food preparation activities, review of records for the quarterly inspections, grease storage, and review of cleaning and maintenance logs.

(h) *Discharge Limits*. No FSE shall discharge or cause to be discharges any wastewater with a FOG concentration in excess of one hundred milligrams per liter (100 mg/L), as determined by the currently approved test for recoverable fats and grease. Which is outlined by the Code of Federal Regulations 40 CFR 136.6, as amended.

(i) *Violations*. In the event the FSE fails to meet the recordkeeping, installation, maintenance and/or operational requirements or discharge limits, the Town of Cheshire will issue a written notice of

violation for the non-compliant condition(s). The FSE shall take immediate steps to bring the establishment into compliance. Each day that a violation continues shall be considered a separate occurrence. The Town of Cheshire reserves the right to notify Connecticut DEEP of any establishment that is non-compliant with the FOG Management Program.

Any violation of the town of Cheshire FOG Management Program shall become compliant within the timeframes of the following table. A seventy-five dollar (\$75) daily fee will be issued if an FSE does not reach compliance in the allotted time:

Violation	Correction Time
Equipment Not Registered	7 days
No Grease Trap Installed or Non-Compliant Grease Trap Installed	30 days
FOG Management Equipment in Need of Repair or Cleaning	7 days
Failure to Maintain Written Records of FOG Management Equipment Cleaning and Inspection	7 days
Disallow an Inspection – Inspection Must be Rescheduled Within 7 Days of Initial Inspection Date	7 days
Failure to Clean and Maintain FOG Management Equipment as Required	7 days
Source of Sewer Blockage	24 hours
Source of Sanitary Sewer Overflow	24 hours

- (j) *Sewer Stoppages and Maintenance.* In the event of a sewer stoppage or blockage caused by any FOG discharge from a FSE, the Town of Cheshire shall notify said establishment in writing and said establishment shall reimburse the Town any expenses incurred by the Town as a result of the sewer stoppage or blockage. The expenses may include, but are not limited to, the cost of the services of Town employees or contractors for any work or inspection necessary to relieve such stoppage or blockage, and damage to any other properties affected.

If any FOG related stoppage requires emergency action on the part of the Town, the FSE shall be charged a minimum penalty fee per event in addition to the cost of service of the Town's employees or contractors. An emergency is defined as any event which requires power rodding, snaking, jetting, or any other work required to clear the stoppage. In the event the collection system needs to be cleaned out due to the excess FOG discharged by a FSE, the establishment shall pay to the Town the expense incurred by the Town to clean the sewer or appurtenance, therefore.

- (k) This Sewer Ordinance is subject to modification based on changes in the applicable laws (including the Connecticut General Statutes and Regulations of State Agencies) of the State of Connecticut and modifications approved by the Town Council.

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

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