AVON TOWN COUNCIL
MEETING MINUTES
April 2, 2015

I. CALL TO ORDER

The meeting was called to order at 7:30 p.m. at the Avon Town Hall, in the Selectmen's Chamber by Chairman Zacchio. Members present: Mrs. Maguire and Messrs: Pena, Evans, and Stokesbury.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Zacchio.

III. PUBLIC HEARING

14/15-53 Sale of Town Owned Property Located at 415 Country Club Road as required by Charter Section 4.3.2 (o) (1)

The Public Hearing was called to order at 7:30 p.m. by Chairman Zacchio. Chairman Zacchio waived the reading of the following legal notice:

"Town of Avon
Legal Notice

Notice is hereby given that the Town Council of the Town of Avon, Connecticut, will hold a Public Hearing on Thursday, April 2, 2015 at 7:30 p.m. at the Avon Town Hall, Selectman's Chambers, 60 West Main Street, Avon, CT, to consider the following:

To consider granting the sale of a vacant parcel of land located at the intersection of Country Club road, Woodhaven Drive and Franks Way consisting of .92 acres. Shown on a map titled FRANK LAMONICA ET AL by The Town of Avon Reconstruction of Country Club Road, Scale 1"=40', dated June 5, 1989, Surveyor John Teare.

Copy of said map is on file in the Town Clerk's Office and open to the public for inspection during normal business hours.

Dated at Avon, Connecticut, this 6th day of March, 2015.

Brandon L. Robertson
Town Manager"

Chairman Zacchio reported that this public hearing is to discuss the sale of property at 415 Country Club Road. He noted that we were approached by the only abutter to that piece of land and he was asking if we were willing to sell it; we have been through a number of negotiations with him. He added that it is approximately 0.92 acres, a remnant from a piece of property that we originally purchased back in the 1980s to relocate Country Club Road. He noted that the abutter has agreed to an easement over the entire property as we have a number of easements on it today including one of the drainage easements that cuts through that property.

The Town Manager reported that we worked out the documents, the Town Attorney has reviewed everything, and the Town Planner has been working with Mr. Lamonica on this. He added that Mr. Lamonica has looked over all of the documents, including the easement and the

property not being developed as a building lot and has agreed to them. He added that the sale price is $4,300 subject to the public hearing and Council's approval we have a list of all of the steps in the closing process and we would close on it within the next couple of weeks.

Mr. Stokesbury commented that we had been worried about easements for two reasons: one is drainage and the second is the sidewalk development issue. He questioned if both issues are covered in the agreement. The Town Manager responded that with regards to a sidewalk we would have a right-of-way if we ever put a sidewalk on the south side of Country Club Road. He added that in terms of the maintenance and clearing of snow and ice we decided to leave that language out because the ordinance as it is currently written would patrol. He reported that we had that conversation with Mr. Lamonica and he understands that if a sidewalk were ever constructed as the abutter he would have responsibility for it unless the Council decides to assume the responsibility by adopting an ordinance. The Town Manager reported that a letter was also sent to the Town Planner asking that he talk with the Planning and Zoning Commission about it pursuant to Section 8-24 and the Commission reviewed it at their meeting earlier this week and the one thing the Commission wanted to be certain of is that the person that we are selling the property to is up-to-date on taxes paid for all other properties in Town and Mr. Lamonica is.

On a motion made by Mr. Pena, seconded by Mrs. Maguire, it was voted:
RESOLVED: That the Town Council close the public hearing.
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

On a motion made by Mr. Pena, seconded by Mrs. Maguire, it was voted:
RESOLVED: That the Town Council approve the sale of a vacant parcel of land located at the intersection of Country Club Road, Woodhaven Drive and Franks Way consisting of .92 acres. Shown on a map titled FRANK LAMONICA ET AL by The Town of Avon Reconstruction of Country Club road, Scale 1"=40', dated June 5, 1989, Surveyor John Teare.
Mrs. Maguire, Messrs: Zacchio, Evans, Pena, and Stokesbury voted in favor.

IV. MINUTES OF PRECEDING MEETING: March 5, 2015 Meeting

A correction was made under "Communication from Council" (2nd paragraph, 1st sentence) to replace "attended" with "stopped in."

On a motion made by Mr. Pena, seconded by Mr. Stokesbury, it was voted:
RESOLVED: That the Town Council accept the minutes of the March 5, 2015 Meeting as amended.
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

V. COMMUNICATION FROM AUDIENCE - None

VI. COMMUNICATION FROM COUNCIL

Mrs. Maguire reported that she attended the Boy Scout Blue and Gold Banquet on March 22nd; it was a great moving up ceremony and she was a proud mom as two of her boys moved up to Boy Scouts. She noted that the Senior Center was full and it was a great moment for these young boys who do a great thing in Town. She also thanked Mr. Pena for attending. She also reported

that on Tuesday she and Mr. Pena attended the Recreation and Parks Subcommittee meeting and there was a lot of conversation and direction given to BSC Group from the Subcommittee as well as comments from the audience and they will meet again in two weeks in the morning and she will be anxious to see what BSC Group comes up with.

Mr. Pena reported that all of the Boy Scout events are very good and he enjoys going to them; it is a great thing what these boys are doing for the community, some of them going all the way up to become Eagle Scouts. He noted that it is a great organization.

VII. OLD BUSINESS

13/14-76 Appointment: T.C. Representative for Lakeview Association (12/31/2015)

Chairman Zacchio reported that this item has been on the agenda for some time now. He asked the Town Manager to reach out to all of the residents of Lakeview to look for some interest. He reported that we have had four people come forward with interest and the Town Manager is going to speak with those residents, outline the process with them, and come back to Council with a recommendation for an appointment.

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:
RESOLVED: That the Town Council table agenda item 13/14-76 Appointment: T.C. Representative for Lakeview Association (12/31/2015) to the May 7, 2015 meeting.
Mrs. Maguire, Messrs: Zacchio, Pena, Stokesbury, and Evans voted in favor.

14/15-12 FY 15/16 Budget Development

The Town Manager reported that we have the Board of Finance Public Hearing on Monday, April 13th, the Budget Workshop on Wednesday, April 15th, the second Budget Workshop, if necessary, on Thursday, April 16th, and the Town Meeting on Monday, May 4th with the Referendum on Wednesday, May 13th. He noted that the sandwich board signs are out around Town, information is posted on the web site, the Town Clerk is taking care of the legal notices, and everything is on target.

14/15-20 Old Farms Road and Old Farms Road Bridge and Intersection Projects (State Projects # 04-116 & 129)

a. **Approval of Supplemental Appropriations**
b. **Authorization to enter into Agreements with Consultants**
c. **Authorization to enter into Agreements with the CT-DOT**

John Papadopoulos, 132 Tamara Circle, reported that he has lived in Avon for fifteen years and live right off Old Farms Road which is not a great road. He noted that his kids go to school at Avon Old Farms School and he drives through there to work, he drives a motorcycle, and it is very dangerous. He recognizes that we are looking at doing something which is awesome. He acknowledged that this is not a short-term activity and will potentially take years for the project to be completed. He questioned what we are doing in the interim while we are piecing this project together to keep this road safe. He is elated that we are going to do something but in the interim he finds it extremely dangerous and potentially expensive with the damage done to cars. He commented that assuming we go ahead with this which is great what do we do to help that

road and it is not filled with the holes every other week. He questioned if there is an opportunity to do something longer lasting, 2 or 3 years, while we are doing this to keep the road safe.

Chairman Zacchio reported that it has been an ongoing project for a number of years and has a lot of moving parts and in terms of negotiations with the Avon Old Farms School around property and movement, and even in best state will be a couple of years with all of the hurdles that we are going through. He noted that in his time here we have tried crack sealing but the base is what it is and unless you are going to pick it up and repave the entire road and rebase it which is what we are trying to do elsewhere we have been filling the holes and skim coating each year but this year particularly we had a bad winter.

Larry Baril, Town Engineer, and Tom Daukas, Special Projects Engineer, were in attendance. Mr. Daukas commented that we do not want to spend a lot of money on it because for the first time it looks like we have a chance to do what we want to accomplish. He added that it includes Route 10, a new bridge over the Farmington River, and includes relocating a piece between Route 10 and Old Farms Road by Tillotson. He added that we have been remiss in not doing anything because we have always anticipated that we are going to rip up the road and have a new alignment so at a minimum we have to do what we have been doing. Mr. Papadopoulos responded that he disagrees as it does not suffice to keep doing what has been done; the Town may have sufficed to make it work for however many years and just do it right now. He commented that in the process of filling holes maybe there needs to be something between just filling holes. Mr. Daukas responded that he is talking about shimming it over with a thin coat of bituminous.

The Town Manager commented that the Town has not been remiss; over the last couple of years as the road has continued to deteriorate we have continued to ramp up the way that we address it in the spring. He added that it has gone from the pothole repairs to a skim coat overlay last year which does not last very long so as the road has deteriorated we are going to have to do that every year and it may be twice a year but there is no base for that road. He noted that if it were not for this project that has been in the works for so long we would have reclaimed that road a long time ago and short of that the skim coat in the interim is the answer. He added that Mr. Papadopoulos' timing is perfect because these things that we have been talking about as being very theoretical and in the works for years are now happening. He noted that tonight Council will discuss authorizing himself to execute an agreement with an outside consulting firm to perform a feasibility study to determine if the permitting that we are trying to apply for can be granted and we will be executing agreements with the State for reimbursement and approving funding to move forward with this. He noted that the feasibility study will go pretty quickly. Mr. Daukas responded less than one year and if the feasibility does not work we will rebuild it in place where it is, straighten out the curve, and put new culverts in. He noted that this project started in 1968 and he has been working on this project for years and you cannot believe the bureaucracy that we are involved with between Federal and State Departments.

Mr. Papadopoulos commented that he does not know what the Town's expectation is on a reasonable timeline but if he were to guess it is going to be years between the studies, approvals, funding, etc. Chairman Zacchio responded that we will have an answer in a year, the bridge off of Waterville Road is separate of the road relocation but realize that doing something more permanent to correct the road now is probably a $3 million spend and that is what we have been trying to avoid because it really has to be completely rebuilt so we cannot put a lot of money on

top of it because the base is not there and we are not going to put new culverts or bridges in because we know we are going to pick them up and move everything to the south. He added that right now we are in that soft spot of getting the feasibility studies done and Mr. Papadopoulos' timing is perfect because we have never allocated dollars and cents to this to move forward because we never had an okay from the Federal, Army Corps of Engineers, etc. He noted that now we finally have a go, we are excited about it, and we are optimistic about the possibilities and without doing a study we are not in a position to say that we are going to spend $3 million to completely tear the road up, fix the bridges, straighten it out with a new base, widen it out, etc. He added that the approach is to fill the holes, skim coat the road, and keep it to the best ability we can but the deteriorating problem on the top is really a surface issue on the bottom that we are trying to address through moving it. Mr. Papadopoulos questioned if the project has to be an all or nothing or are there sections of the road that in all likelihood will be the last section to get done, it might not change at all even with the new project so that you might at least look at this and say there is probably "x" percent of this that is in all likelihood going to be there for the next five years and we probably should bite the bullet, fix it so it does not necessarily have to be a $3 million project and have we thoughtfully looked at this road and said there is a section we can do that probably would be money well spent while we wait for the five years. Chairman Zacchio responded to let us get into the agenda and how this project is going to flow it may answer that question as it really bypasses all of it.

The Town Manager reported that there are three actions with respect to both projects that Council needs to take tonight to move this forward. He noted that we would deal with the road items first. He added that the C&C Consulting Engineers agreement is for the completion of the feasibility study for the Category I permit which is the permit we would be applying for through the Army Corps of Engineers. Mr. Daukas reported that with the feasibility study they met the Army Corps of Engineers in December 2013 and the project was broke into parts, one part that has no federal funds and a part that has federal funds and we went to the Army Corps of Engineers to talk about the piece that has no federal funds, the piece of road that we are going to relocate and share with Avon Old Farms School the difference in cost between rebuilding the road in place, realigning it, and moving it southerly and we will get that currency with land. Mr. Daukas noted that we know what the Army Corps of Engineers wants and that is what this feasibility study is addressing based on that meeting. He noted that to do the Environmental Assessment was $1.3 million and there was no guarantee you would even have an alignment or project. He added that they met with the Federal Highway Administration, the Army Corps of Engineers and we showed what we wanted; to build it with no traffic problems, a lot of open space, an open space corridor at Fisher Meadows, and a lot of other benefits also for Avon Old Farms School. He noted that if we get the Category I permit they are not involved and we do not have to go to the Department of Energy and Environmental Protection (DEEP), we go to our Inland Wetlands Commission for our wetlands permit and if we meet these requirements which he is not guaranteeing that we can but he is 90% that we can, we will know within 300 days. He noted that there will be public input as well for both projects. He added that this should all be looked at as one job, Route 10, the bridge, Old Farms Road; it is a pretty large project for Avon and something that we are going to live with for as long as Avon is here so he would like to see it done right. He noted that the feasibility study was worded as such and we are able to use federal funds that is a document that they will fund even though they are not going to fund the construction. He added that if we meet the requirements we will get a Category I permit and will know within a year and if we do not then we are going to give up and rebuild it in place.

Chairman Zacchio questioned if we would need similar permits to rebuild it in place as we cross streams and within the wetlands. Mr. Daukas responded that we would have to go to the Inland Wetlands Commission. Chairman Zacchio commented that we would not have to deal that if we make a choice to abandon this project and move in that direction. Mr. Daukas responded that in theory we may still need a permit from the Army Corps of Engineers but if we did it in place we would probably break it out and do a section per year. He noted that there is a substantial difference by doing it on a realignment but we are getting a lot of other benefits. Mr. Evans questioned how we selected C&C Consulting Engineers and do we need to bid this out. Mr. Daukas responded that they have been onboard from day one, also involved with the Environmental Assessment (EA) and a lot of the work that we are doing in this feasibility study is already done and we are getting credit for it including reimbursement for work that he and the Town put in from the State and Federal agencies. He noted that our net on this, we are making money. Mr. Evans questioned if we have to bid this out. The Town Manager responded no; we went through a process when C&C Consulting Engineers was originally selected and because it is reimbursable by Department of Transportation (DOT) they have to review the man hours estimate and approve it and have indicated that their contract is reasonable. Mr. Daukas noted that it took two years from when we gave up on the EA for the whole alignment and that is some of the money that we will get back, approximately $87,000 and 90% of the other so we net with a bottom line of approximately $45,000.

On a motion made by Mr. Evans, seconded by Mr. Stokesbury, it was voted:
RESOLVED, that Brandon Robertson, Town Manager, be, and hereby is authorized to sign the agreement entitled: "AGREEMENT BETWEEN THE TOWN OF AVON AND C&C CONSULTING ENGINEERS, LLC FOR THE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH OLD FARMS ROAD RELOCATION FEASIBILITY STUDY, AVON, CONNECTICUT."
Mrs. Maguire, Messrs: Zacchio, Evans, Stokesbury, and Pena voted in favor.

On a motion made by Mr. Evans, seconded by Mr. Stokesbury, it was voted:
RESOLVED: That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed $340,000 from Account #01-0390-43913, General Fund, Other Financing Sources, Unassigned Fund Balance and transfer from Account #01-8700-58000, General Fund, Other Financing Uses, Interfund Transfers Out

to

Account #03-4992-53200, Capital & Nonrecurring Expenditure Fund, Town CNREF –Road Relocation Study, Old Farms Rd Relocation Feasibility, and Account #03-0390-43918, Capital & Nonrecurring (Facil & Equip), Other Financing Sources, Interfund Transfers In, in the amount of $340,000 for # 04-129 Old Farms Road relocation feasibility**.**
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

The Town Manager noted that Fund Balance will be replenished as what we get back from the State goes back into Unassigned Fund Balance. Chairman Zacchio commented that we had specific language within both of these that dictate as monies come back they go directly back to Undesignated Fund Balance both for the benefit of transparency to where that money will go back to so we do not think we can spend it someplace else and it also helps with the rating agencies because they want to see how we use the Undesignated Fund Balance. He noted that we do not use Undesignated Fund Balance often and when we do we generally put it back.

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:
RESOLVED, that Mr. Brandon Robertson, Town Manager, be, and hereby is authorized to sign the agreement entitled: "AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF AVON FOR THE DEVELOPMENT OF CONTRACT PLANS, SPECIFICATIONS AND ESTIMATES FOR RELOCATION OF OLD FARMS ROAD FEASIBILITY STUDY UTILIZING FEDERAL FUNDS UNDER THE URBAN COMPONENT OF THE SURFACE TRANSPORTATION PROGRAM."
Mrs. Maguire, Messrs: Zacchio, Evans, Pena, and Stokesbury voted in favor.

The Town Manager reported that they are progress payments so we do not have to go until the very end to get the monies back and will do it incrementally.

Chairman Zacchio questioned if we have a schedule and/or the Director of Public Works' assessment of how he is going to handle the temporary repair of Old Farms Road as it is something that is on more than just our mind tonight. The Town Manager responded that he does not have on the list yet but it may be done between now and the next meeting. Chairman Zacchio commented that is one of our struggles is that you have a winter like we had and we do not have anything to patch it with because pavement plants close down during the winter season and we have cold patch but it is not as effective.

Mr. Papadopoulos questioned the process around patching, repairing, when can it occur, when we do this skim coat it is ten yards at a time here and there, when does someone determine when we have to fix it; it seems like we wait until it gets so bad that we say okay let us fix it but in the meantime there is a lot of risk out there while we are doing this and he is not so sure that there is some method or new technology that we can potentially use that is something better than what we have; it is really frustrating and he suspects that as optimistic as he would like to be this is going to be a five-year project at best having sat through this for fifteen years so for any of us that think it is a year or two he hopes so and it is really dangerous. He added that it is a risk management activity and it is scary to him and worries about something happening. Chairman Zacchio responded that the Town decides when it needs to be repaired and repairs it each year because we have been trying to keep up with what happens over the winter time. He noted that unfortunately when you have a winter like we had and the frost heaves happen and you have a road that does not have base it gets deteriorated at a higher rate than other roads. He added that as soon as pavement plants open we own a box culvert that can pave sections like that and own the equipment to do the filling so our Highway crews in conjunction with the Director of Public Works and the Town Manager make the schedules on how they address that based on its condition. He added that our Public Works Department goes out and does a road ride assessment each spring to figure out what needs to be done that is maybe outside the schedule of what they anticipated on doing. He noted that Old Farms Road is one that we have fallen to repair every year because we know that it gets a decent amount of travel and we do not have a base under it so it is a risk management process of paving and filling. He would expect that we get it done sooner than later because we knew it was in bad shape for two months and we are waiting for the pavement plants to open and to start moving on it.

Mr. Papadopoulos questioned if it is possible to ask for that specific road some sort of more frequent check than the once per year. He noted that he rides it every day to and from work and it is not just the spring but throughout the year when the holes pop up all the time. He questioned if there is a possibility of having a different process around when to repair Old Farms

Road because of the extenuating circumstances or find a better method than what we are doing. Chairman Zacchio responded that the Director of Public Works assesses it throughout the year and has done repairs when they needed to be done during the year but Mr. Papadopoulos makes a good point in terms of at this point Old Farms Road is deteriorating, the base is bad enough, but he asked the Town Manager to ask the Director of Public Works to think through a scenario of maintenance on that road that might have a higher level of care as it might be more prudent to have some kind of a plan in place around how they look at that road. He noted that it gets repaired in the spring and during the year when potholes occur and there may be a plan but if not it would be prudent to have one and maybe talk a little bit about how we are going to maintain that road over the coming years while we decide what we are doing on the other side. He agreed that it is a valid concern and one that we have been chasing after.

Mr. Stokesbury commented that this is just a subset of a rather extensive road maintenance project that we have ongoing and in the current budget we have, between the supplemental appropriation and the capital budget, $1 million going into repaving this summer. He noted that the Town looks at all of the roads on a comprehensive basis, every road is rated and that information is provided to us annually and is part of the budget process as to where to go. He added that we are all just focused on how deteriorated Old Farms Road and it is not the only road in Town that has some deterioration but it is a heavily traveled one that merits attention. Chairman Zacchio commented that we have a large number of roads being paved this spring and through this season but Old Farms Road is one that we continually do maintenance on and we certainly cannot spend half of what it would cost to relocate it and get the property and all of the other amenities we get to fix it otherwise we would not be doing what we are doing. Mr. Daukas commented that within 300 days we will know if we can get a permit and then we can do the design and if we cannot get the permit from the Army Corps of Engineers then we will be looking at rebuilding it where it is. He agreed that there is no doubt that it is the worst heavily traveled road in Avon and we have always anticipated that we were going to fix it and have been saying that since 1968.

Chairman Zacchio commented that we have never had the opportunity to move forward at this level; it has just taken this long to get through all of the permitting processes. Mr. Papadopoulos commented that is awesome but in the interim we need to do something. He questioned if there was a specific action taken that somebody will report out on what that process is for that road or how do we follow up to better understand it. Chairman Zacchio responded that he asked the Town Manager to work with his staff at Public Works to come back with a plan to Council. Mr. Papadopoulos appreciated this opportunity. Chairman Zacchio commented that we were doing the work on the road anyway but adding another layer of reporting over the next couple of years on how we are going to handle it, perhaps in the fall we should take a look before winter because if you have any potholes in the fall they become sink holes in the winter and we had a really tough winter from a road perspective and fortunately the heaves have come down and the roads have stayed together, in all towns as well. Mr. Stokesbury commented that if we restricted the use of the road it could save on wear and tear but there are other considerations. Chairman Zacchio commented that he is glad that we are moving in the direction we are and knows that it has been a ton of work and is going to be a lot of work but the benefits are going to be great if we can relocate it and get that piece of property.

The Town Manager reported that next is the bridge and intersection project and three actions need to take place to authorize the Town Manager to enter into an agreement with WMC

Consulting Engineers for the redesign and replacement of Old Farms Road Bridge. He noted that we have had a design that was complete and then the standards were changed so now we have to redesign. Larry Baril, Town Manager, commented that the Federal agency changed the standards. He noted that the project was 90% designed and then the funding got eliminated and the project was put on hold. He added that we were on the hook for a multi-million dollar project and the design of Waterville Road and Old Farms Road approaches but then the State took the project over completely a couple of years ago, not only the design efforts and permitting, but ultimately construction which are great things for Avon. He noted that in the interim the Federal agency changed the guidelines for the structural design and that has caused a redesign of the bridge structure. He added the monies being requested is for WMC Consulting Engineers to redesign the bridge structure with the new design criteria and is 100% reimbursable as it is now a State project. He noted that the reason the State has asked us to do this is because if they took the project and the engineering consulting they would have to go through their procurement process to hire an engineer and it may not be WMC Consulting Engineers which of course would make the cost of this project a whole lot more.

On a motion made by Mr. Evans, seconded by Mr. Stokesbury, it was voted:
RESOLVED, that Brandon Robertson, Town Manager, be, and hereby is authorized to sign the agreement entitled: "Second Supplemental Agreement between the Town of Avon and Wengell, McDonnell & Costello, Inc. for Consulting Engineering Services for the redesign of the Replacement of the Old Farms Road Bridge (Bridge No. 04470) over the Farmington River, State Project No. 04-116."
Mrs. Maguire, Messrs: Zacchio, Evans, Pena, and Stokesbury voted in favor.

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:
RESOLVED, that Brandon Robertson, Town Manager, be, and hereby is authorized to sign the agreement entitled: "Third Supplemental Agreement to the Original Agreement between the State of Connecticut and the Town of Avon for the Development of Contract Plans, Specifications and Estimates Required in Conjunction with the Replacement of the Old Farms Road Bridge (Bridge No. 04470)."
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:
RESOLVED: That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed $400,000 from Account #01-0390-43913, General Fund, Other Financing Sources, Unassigned Fund Balance and transfer from Account #01-8700-58000, General Fund, Other Financing Uses, Interfund Transfers Out

to

Account #03-4990-53202, Capital & Nonrecurring Expenditure Fund, Town CNREF –Bridge, #116 Old Farms Rd Bridge Design and Account #03-0390-43918, Capital & Nonrecurring (Facil & Equip), Other Financing Sources, Interfund Transfers In, in the amount of $400,000 to design and analyze Old Farms Rd Bridge; State project # 04-116.
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

Mr. Stokesbury clarified that these funds are 100% reimbursable and State money by any other name. The Town Manager responded yes. Chairman Zacchio commented that we just have to front it. The Town Manager reported that it comes out of Unassigned Fund Balance and will get it back in progress payments and will be returned to Unassigned Fund Balance. Mr. Stokesbury

questioned if this is an appropriate use of Unassigned Fund Balance from the rating agencies. The Town Manager responded that it is a textbook appropriate use. Chairman Zacchio noted that we talked with Bond Counsel on the language and that was part of the addition that the return would replenish Unassigned Fund Balance directly as we were reimbursed.

The Town Manager reported that for both of these projects as they progress from this point forward Council will receive monthly reports. Mr. Stokesbury questioned if we are possibly looking at a period where the new bridge is done and all the way to Tillotson is done and we have not necessarily started either side of the relocation of Old Farms Road and what the timeframe might be. Larry Baril, Town Engineer responded that it is possible and optimistically our hope is that the relocated road runs concurrent with the State project. Mr. Daukas commented that it go the other way as we do not have the environmental permits for the bridge project right now and the State is handling that. He noted that it would be ideal to run concurrent because there is a lot of material from Old Farms Road that could be used as fill for the bridge and substantially save a lot of money. Mr. Evans commented that the State is taking over the bridge project but we are entering into the contract so the Town still has a role in seeing the progress of this move at a certain pace. He questioned when we are done with the redesign what would be the next step and who takes it. Mr. Baril responded that in concurrent with the redesign the State of CT Department of Transportation (CTDOT) is working on getting the environmental permitting. He added that DEEP is involved, the Army Corps of Engineers, FEMA, etc. so some of these permits that have been well underway but there is some question about whether they have to reapply because of the time differential and he cannot get a straight answer out of the State yet. He noted that the expectation is that the redesign will take between nine and ten months to do once they are authorized. He added that they are optimistically looking at the summer of 2017 as a potential construction start for the bridge. The Town Manager commented that we have a vested interest in making sure that this project proceeds. Mr. Evans questioned if we have any control in regards to that. Mr. Baril responded no. Chairman Zacchio commented that we might have some leverages as far as pushing the Old Farms Road project through and if we have a solid agreement there and are moving with that then they are absolutely going to want to take advantage of that construction at the same time.

Mr. Papadopoulos questioned if there is an opportunity to bring all of these parties together at one time to have this type of discussion, Avon Old Farms School, the State, the Town, etc. He commented that his experience is that they do a lot of things in silos and we do not recognize some of the potential synergies that could occur if we do some of the things that you are talking about and value stream events, etc. He noted that by bringing the parties together for a day, everyone laying out what their requirements are, timing is, and together come up with one consolidated plan that kind of makes sense. Mr. Baril responded that all of the agencies we are talking about are fully aware of both projects and have project manager meetings at CTDOT that involve most of these parties on a monthly basis and they talk about progress. The Town Manager commented that with regards to these projects they have such a deep and complex history; we have done everything from site walks through the years to meetings with the casts of thousands and the result of all of those meetings are what we are seeing tonight, progress where for the last twenty-five years they have been on and off again. Mr. Stokesbury commented that the leverage that we have been talking about is UCONN and Jackson Labs and what triggered this to getting it done. Chairman Zacchio commented that we meet with Avon Old Farms School when their Board is together.

14/15-41 Appointment: Avon Clean Energy Commission (D – 12/31/2015)

On a motion made by Mr. Pena, seconded by Mrs. Maguire, it was voted:
RESOLVED: That the Town Council appoint Jeffrey Macel to the Avon Clean Energy Commission to fill a vacancy with a term to expire on December 31, 2015.
Mrs. Maguire, Messrs: Zacchio, Pena, Stokesbury, and Evans voted in favor.

VIII. NEW BUSINESS

14/15-61 Avon Day 2015

Nancy Anstey, Avon Day Chairman, reported that there is no incentive for booth vendors to stay until the end of the day even though when they pay their $300 and sign their contract and talk to us about what they are doing they are informed that we request they stay until 5:00 p.m. She added that over the last few years it has been terrible; last year was the worst as booth vendors were leaving at 2:30 p.m., by 3:30 p.m. maybe there were 5 or 6 booths left and parents that came with children after naptime wanted to see the booths that were already gone. She noted that it also affects the inflatables and the restaurants. She added that in their endeavor to keep Avon Day the Town wonderful celebration that it is we have been brainstorming about ways to try to entice vendors to stay and if they stay longer more people will linger and the restaurants will be happier. She noted that at one time they had 12-14 restaurants there and last year there was 9. She reported that knowing that Sam Collins Day has done it for years and Septemberfest has done it for years and a couple of Avon businesses when they found out were not allowed to sell anything said they were not coming. The Committee thought it is worth a try to see if that would then entice the vendors to stay longer. She added that they are also going to have a young child's activity hopefully to keep them there between 2:00 and 4:00 p.m. and also getting a band. She commented that they would give those combination of things a try. She noted that they will create guidelines and not allowing anyone who is selling to use electricity and would have to approve what a vendor is selling to keep it in the spirit of the Town celebration that it is. She added that they are trying to find ways to make it a little newer but give other businesses the opportunity to come and show off what they do.

Chairman Zacchio questioned what kind of businesses the Committee thinks will come. Mrs. Anstey responded that they are basing it now on the people that we have staying and then maybe getting ten more vendors. She noted that the Avon Historical Society always wants to sell more than they do. She added that they would not be allowed to sell water or food or sell high end items. She noted that they are looking for small things or things that are specific to the business. She noted that she knows of two in-home businesses who sell crafts and they may want to come. Chairman Zacchio commented that is more of what he is thinking about. He questioned how we stop businesses who we do not want to be there. Mrs. Anstey responded that it would be their guideline and can make the list of requirements such that we are not going to get some of those things. She added that they have given a lot to this with exception of the guidelines but would propose to allow all of the booth participants' first choice which ends on May 31st and on June 1st would go out to the public. She noted that those letters go out in April after their kick-off meeting which is April 16th and then the Committee meets once a month (or twice if necessary) through September. She reported that the Committee will collect payment, know what the vendor is selling, and have the right if they come with something that was not approved to say that goes or they cannot participate. She noted that this would be a trial year and if in fact it does

not work then there is next year. She added that if it works it keeps people there, it helps the restaurants, it becomes a positive thing, and then we would certainly like to continue it in the future. Mrs. Maguire commented that she has been a booth vendor for PTO and Avon Education Foundation and she thinks this is a great idea and long overdue. She was in Avon Day back when it was out here and remembers that you could not sell anything, she was with Avon Junior Women's Club and they would always try to put up things about the organization. She feels that people lost interest in that and thinks having something to kind of shop or like the PTO selling flip flops and beach towels that say Avon and is in the spirit of the school and Town and a real positive. She questioned if Avon Day would get back a percentage back of sales. Mrs. Anstey responded no. Mrs. Maguire questioned if the Committee has looked at what Simsbury and Collinsville charge for a table and if it was a business that was going to be marketing some items would their table price be slighter higher than $300. Mrs. Anstey commented that non-profits pay $25 for a booth. She added that the Committee talked about charging more but have decided not now; let's try it at the same price and see if they will stay until 5:00 p.m. She noted that if it works well and there is a waiting list of booths because we have reached their maximum of 86 then maybe we can talk about that in the future. Mrs. Maguire commented that it is such a great event and this will enhance it and supports it 100%.

Mr. Stokesbury thanked the Committee for all of their efforts. He noted that the agenda reads Avon Day 2016 but this discussion is for changes in 2015. He commented on other towns selling alcohol at their event. Mrs. Anstey responded that Simsbury does, Canton does not. Mr. Stokesbury questioned the Committee's thought on that at this point. Mrs. Anstey responded that they thought one step at a time and through the last ten years there has always been talk about making this multiple days with entertainment, etc. She added that it would be difficult to contemplate selling alcohol based on where we hold Avon Day anyway. Mr. Evans questioned what the financial arrangement is for the restaurants. Mrs. Anstey responded that what it has been is that they do not pay for their booth; from 11:00 a.m. to 3:30 p.m. the restaurants get 20% of the tokens and from 3:30 to 6:30 p.m. they get 100% of the proceeds. She added that she is going to talk to a couple of restaurants about charging them $400 for the booth and letting them get 100% of their profits and then have a wonderful chunk of money for Special Needs and based on profits we have a tendency to add to that but if we have 10 food booths that $4,000 into the Special Needs Fund. She noted that also stops the token process and it is a possibility that if she can get a few restaurants to do this they would consider dropping the charge to $375 for the booth and allowing them to sell what they want at their price and not a token price.

Mr. Evans commented that merchants would not be required to share any percentage of their profits but how do you make a distinction between the restaurants sharing some of their revenue and the merchants would not and would there be any resentment if merchants can get full profit and restaurants have to share their profit. Mrs. Anstey responded that they never have and this happened since they started having restaurants at Avon Day in that they do not pay for a booth and their proceeds go directly to the Special Needs Fund. Mr. Evans commented that you are introducing something new, merchants being able to sell and profit from items and they might compare themselves and ask why it should be different between the groups. Mrs. Anstey responded that when she mentions it to restaurants they will think that it is okay to spend $375 or $400 for a booth and get 100% of the profits from 11:00 a.m. to at least 5:00 p.m. She added that if it does not work they will try again the following year. She noted that it makes it easier for Committee members at Avon Day who have to run around with the plastic tubs at 3:30 p.m. and switch because the first batch is the 20% and the next batch is 100% but they still have to

count tokens. She added that this would allow them to only have one token booth instead of two which would only be needed for the train and inflatables. Mr. Pena commented that it has been a long time coming for businesses to sell products and many of the businesses that he has spoken to have gone away because they could not sell and they do not like the booth arrangements. He noted that when you look at Collinsville and Simsbury or Goshen they have a "big tent" and many of the businesses are under the big tent which means that when you walk in you can see an array of different vendors versus walking through what we have which can be segmented and people may bypass them. He noted that especially in the later afternoon when there are fewer people visiting a booth others just pass by it. He also noted that businesses in general are glad they can sell the product but the price of the booth is too high; many of them are small businesses and wonder if they can split a booth. He added that overall it is a good idea and we should try it. He questioned if Avon High School booster clubs could sell products. Mrs. Anstey responded if they would like to. Mr. Pena questioned if the PTO is having a fundraiser if they can sell items like potted plants or candy. Mrs. Anstey responded they can sell candy but not food, water, or soda.

Chairman Zacchio commented that we have to be careful that we are not designing this to help businesses make a profit or help businesses market their products. He noted that this is what Len Del Gallo was always worried about is that if we start to think about this in terms of how do businesses want to sell more product versus what Avon Day was designed to do in the first place. He noted that maybe businesses take a loss to expose themselves to Avon residents of what they have to offer. He reported that he is in favor of this but we have to be really careful on how we carve this out and define this. He added that we do not want to get into a position where we are a merchant marking department for businesses versus the spirit of what Avon Day was supposed to do. Mrs. Anstey responded that she will not let that happen. She added that the other emphasis for them first is Avon non-profits and school organizations because that is in the spirit of Avon Day. She noted that in the past we have had businesses that are not from Avon and they will get the same opportunity as every booth participant this year to come onboard with it based on the fact that the Committee will have to approve what they are doing. Mr. Pena commented that his biggest concern is having to police what products are or are not allowed to be sold. He added that if businesses are happy they will come back and will tell other people which will increase the number of vendors. Mrs. Anstey responded that there will be one or two of those but they will have to deal with it; the advantage is that there will be Committee members to go around and look at the booths as they are setting up.

Chairman Zacchio questioned how long it will take to build some of these parameters. He added that you are hearing comments around support, some concerns around structure and how we monitor and manage the types of products that we want to have and the types of organizations that we want to have. He questioned if it would be reasonable to table this item tonight with a recommendation to say that we are supportive but would like to see how this all falls together and how we manage it for a future meeting. He added that the Committee would have to work with the Town Manager to build out what that list looks like. Mrs. Anstey responded that her only concern is that their letters go out in April. She added that she will work with the Town Manager and the Committee will work on the guidelines and bring those guidelines back to Town Council in May. Mr. Pena commented that when he was on the Planning and Zoning Commission there was concern about wanting to supplement products and be able to sell products that are not related but close enough to fit and always said that if the product is grown in Avon they were able to do it. Chairman Zacchio questioned if vendors bring their business

insurance or liability insurance for product being sold and somehow connect to the Town. Mrs. Anstey responded that it is their business, it is their product, they pay for the booth, and therefore it is their responsibility. Chairman Zacchio commented that we would want the language reviewed by the Town Attorney to make sure we are not getting into a liability situation. Mrs. Anstey commented that the letter going out in April will say that they are going to have the opportunity to do this, you have to sign up for your booth, you need to send that in with your check and a list of what you are selling and then let you know if you are accepted and if not we will refund the money. Mr. Evans commented that he understands the time constraints but he thinks that we can generally say that there is a consensus amongst the Council to support to go forward in a way that businesses can have an opportunity to sell their merchandise. He added that he would like to see the guidelines to address all of the good points that have been made here. He asked if that would allow the Committee to go forward and send out letters to solicit interest and say that the final details are subject to further Council approval or determinations by the Town Manager. He noted that he would not be in favor of treating merchants different than restaurants but that is one person's vote and the details need to be ironed out before we vote officially. Mrs. Anstey responded yes. Mr. Pena questioned when the letters need to go out. Mrs. Anstey responded the last week in April. Chairman Zacchio questioned if it would be possible to send the letters out after the next Council meeting on May 7th as the Council would feel more comfortable to understand the parameters of the agreement. He added that they want to make sure they have the right legal coverage and language and has no doubt that can be achieved and there is support to move towards that direction. He noted that at the end of the day we want to make sure that the Town is protected and doing the right things for the Town. He asked the Town Manager to work closely with the Committee on the language and the parameters of the types of booths and to make sure that from an overall Town perspective we are covered in terms of liability.

On a motion made by Mr. Evans, seconded by Mrs. Maguire, it was voted:
RESOLVED: That the Town Council table agenda item 14/15-61 Avon Day 2015 to the May 7, 2015 meeting.
Mrs. Maguire, Messrs: Zacchio, Evans, Pena, and Stokesbury voted in favor.

14/15-62 Review, Discussion, Set Public Hearing: Sewer Easement and Drainage Easements: Stratford Crossing

Mr. Baril reported that these easements are for the Sunlight subdivision that is under construction and has been since last spring. The developer has constructed a first phase and included a fair amount of sanitary sewers and some storm drainage related to the Town. He noted that we have had challenges in getting developers in general to turn their easements over to the Town in a timely fashion so we are using some leverage to get them to do these things more expeditiously. He reported that tonight is the first phase of easements for that project, both sanitary sewers and storm drains. Chairman Zacchio questioned that this is for lots 5, 10, 18, 26, 34, 42, 43, 50, and 58. Mr. Baril responded that those are the lots that affected by the easements. The Town Manager questioned that these are all a condition of Planning and Zoning Commission approval. Mr. Baril responded yes.

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:
RESOLVED: That the Town Council set a public hearing to be held at their May 7, 2015 meeting to consider acceptance of a Sanitary Sewer and Drainage Easement from Sunlight

Construction Inc. designated as "20' Sanitary Sewer & Storm Drainage Easement #2 in favor of the Town of Avon" as shown on a map entitled "Subdivision Plan Stratford Crossing prepared for Sunlight Construction Inc. 44 Lenox Road, Avon, Connecticut Sheets 1-4 Scale 1"=40' Date 9/17/13 Rev: 1/12/14, 3/31/14 and 5/21/14" and to consider acceptance of a Drainage Easement designated as "20' Storm Drainage Easement #1 in favor of the Town of Avon," "20' Storm Drainage Easement #3 in favor of the Town of Avon," "Storm Drainage Easement #5 in favor of the Town of Avon," as shown on a map entitled "Subdivision Plan Stratford Crossing prepared for Sunlight Construction Inc. 44 Lenox Road, Avon, Connecticut Sheets 1-4 Scale 1"=40' Date 9/17/13 Rev: 1/12/14, 3/31/14 and 5/21/14."
Mrs. Maguire, Messrs: Zacchio, Evans, Pena, and Stokesbury voted in favor.

14/15-63 Review, Discussion, Set Public Hearing: Drainage Easement and Two Easements for Temporary Cul-De-Sac: Aspenwood Subdivision

Mr. Baril reported that the Aspenwood Subdivision is already constructed and the developer is going to be finalizing his paperwork to have an accepted road. He noted that there is one small piece of drainage easement and two temporary cul-de-sac easements. Chairman Zacchio questioned what the temporary cul-de-sac easements are for. Mr. Baril responded that the cul-de-sac is temporary in that it is setup so that if the abutting property owners wanted to develop further into that they can go straight through.

On a motion made by Mrs. Maguire, seconded by Mr. Stokesbury, it was voted:
RESOLVED: That the Town Council set a public hearing date to be held at their May 7, 2015 meeting to consider acceptance of a Drainage easement for a certain piece of parcel of land designated as "Unrestricted Right to Drain in favor of the Town of Avon" across Parcel number 6460005 as shown on a map entitled "Subdivision Plan Aspenwood Prepared for Sunlight Construction Inc. 45 Sunrise Drive Avon, Connecticut Scale 1"=40' December 21, 2012 Rev: 01-21-13, 02/01/13, 02/14/13 and 3/26/13," which map is on file in the Avon Land Records as Map #13-17 and to consider acceptance of a right of way and easement for purposes of a temporary cul-de-sac on certain pieces or parcels of land situated in the Town of Avon and designated as "Easement for Temporary Cul-De-Sac" located on Parcel Number 6460025 and Parcel Number 6460028 and shown on a map entitled "Subdivision Plan Aspenwood Prepared for Sunlight Construction Inc. 45 Sunrise Drive Avon, Connecticut Scale 1"=40' December 21, 2012 Rev: 01-21-13, 02/01/13, 02/14/13 and 3/26/13, which map is on file in the Avon Land Records as Map #13-17.
Mrs. Maguire, Messrs: Zacchio, Evans, Pena, and Stokesbury voted in favor.

14/15-64 Approve Resolution: Explanatory Text for Annual Town Meeting, May 4, 2015

On a motion made by Mr. Stokesbury, seconded by Mr. Pena, it was voted:
RESOLVED: That the Town Clerk be, and she hereby is, authorized and directed to prepare and distribute an explanatory text with respect to the proposed budget for the Town for the fiscal year July 1, 2015 through June 30, 2016, as recommended to the Town by the Board of Finance, in accordance with the requirements of the Charter of the Town and Section 9-369b of the Connecticut General Statutes.
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

14/15-65 Set Poll Hours: 6:00 a.m. to 8:00 p.m. Town Meeting Referenda May 13, 2015, June 3, 2015 (if necessary), June 24, 2015 (if necessary)

On a motion made by Mr. Pena, seconded by Mrs. Maguire, it was voted:
RESOLVED: That the Town Council approve the extension of the polling hours of the Town Meeting Referendum from 6:00 a.m. to 8:00 p.m. on May 13, 2015, June 3, 2015 (if necessary), and June 24, 2015 (if necessary).
Mrs. Maguire, Messrs: Zacchio, Evans, Pena, and Stokesbury voted in favor.

14/15-66 Authorization to Sign: Historic Documents Preservation Grant, $3,000

Chairman Zacchio reported that this grant will be used for a hanging map cabinet in the Town Clerk's vault and solves the issue with lack of room in the vault and will hold approximately 1,000 maps.

On a motion made by Mr. Stokesbury, seconded by Mrs. Maguire, it was voted:
RESOLVED: That Brandon L. Robertson, Town Manager, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for a Historic Documents Preservation Grant.
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

14/15-67 Agreement: Municipal Animal Control Officer

Chairman Zacchio reported that we shared this resource which was a contracted employee whereas we had the contract and the Town of Canton reimbursed us for that contract. He added that we have moved that person to an employee of the Town on a part-time basis and the Town of Canton has done the same thing and reimburse now only for the vehicle maintenance and fuels. The Town Manager commented that aside from sharing the employee we continue to share everything else at the same percentage.

Mr. Stokesbury commented that in the department monthly reports there is a report on the Animal Control Officer's services and refers to her work schedule and in some periods she will work the expected fifty hours but if she goes over, as approved, she will work fewer hours in the next pay period. He added that is what we contemplated and that is what is contemplated by her being a part-time employee and wants to make sure that in practice it is being implemented the way it needs to be to satisfy certain people. The Town Manager responded yes, on average we do not want the position to exceed twenty-five hours per week because it is a part-time employee and if it goes beyond that you can trigger other benefit programs. He noted that it may go over one week, there may be an emergency she is called in for, but the idea is that the next week she is working less so it evens out.

On a motion made by Mrs. Maguire, seconded by Mr. Evans, it was voted:
RESOLVED: That the Town Council approve the Animal Control Services Cost Sharing Agreement by and between the Towns of Canton and Avon, Connecticut through June 30, 2016.
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

14/15-68 Appointment of Building Committee for Avon Middle School Science Classroom Project

Chairman Zacchio reported that there is a large capital item in the CIP budget this year and assuming our budget is successful we will move forward with the redesign and refurbishing of the science labs at the Avon Middle School. He noted that because this is a reimbursable project through the schools from the State at our rate of approximately 25% it requires a building committee by way of our Town Charter. He added that we would typically appoint a building committee of citizens if it was a large project and have a Chairman that would report back to us; some of the more municipal related projects in the past we have appointed a building committee of employees and that is the Town Manager's recommendation at this point.

The Town Manager reported that our reimbursement rate is 25.57% and when you deal with school construction projects that are reimbursable there is a very specific process that has to be followed and one of the requirements is that you have a building committee. He noted that a lot of communities have a standing public building committee but Avon does not so we need to appoint a building committee. He added that in the upcoming fiscal year we have $429,000 that is budgeted for the project and we have $16,800 that is in the current year and anticipating another $228,000 going out to fiscal year 2016/2017. He noted that it is a good size project but does not rise to the level of a new school or library for instance which are projects that we typically an outside panel of residents to help us with. He added that in this case he talked it over with the Superintendent of Schools and thought that a 3-person staff panel would be sufficient to process this including the Bruce Williams - Director of Public Works, Heather Michaud - Board of Education Manager of Accounting and Systems, and John Salerni, Grades 7-12 Science Coordinator. He added that this group would be responsible for finalizing the Request for Qualifications for an architect which is essentially complete at this point, interviewing architects, make a selection and then going through and approving final design and construction documents and administering the project subject to appropriation.

Chairman Zacchio questioned if they will be coming back to Town Council with updates on the project or will they work through the Town Manager who will provide those under the Construction Update. The Town Manager responded that we could do it either way – he could have the Director of Public Works come in and give updates or he is happy to act as the conduit and report back. Chairman Zacchio asked the Council how they would prefer. Council concurred that the Town Manager could report back to them given the size of the project. The Town Manager commented that the architect that will be involved may end up reporting back to the Capital Budget Committee at the Board of Education and could also come before Town Council and do the same. Mr. Pena questioned if the State has any problem with Town employees being the only members on the building committee. The Town Manager responded no, there is no guidance about what constitutes a committee; it is acceptable to have a staff committee and the key being that they are duly appointed and charged with the responsibility. Mr. Stokesbury commented that we as a whole should right from the start look at and have a very clear understanding from all the professional involved including outside assistance that is sought for it as to what the science lab project will entail, what impact it might have that we may not be thinking about for consequential code compliance issues to avoid any surprises and wants to make sure the architect is aware of the charge. The Town Manager responded will do.

Mr. Evans questioned if the School Building Committee receiving the final report will make that final decision or if it will come back to Council for final approval. The Town Manager responded that we would get an architect who would make the final recommendation regarding the design of the project to the School Building Committee and this Committee would be empowered to approve that subject to having the funding in place. He noted that if the recommendation comes back over budget then we have a problem and it has to wait until another cycle or we have to talk about other funding sources but the idea is that they can go forward with construction as long as they have an appropriation that is sufficient to complete the project. Mr. Evans questioned if that is consistent with the manner within which other committees have acted in the Town. The Town Manager responded that for a project this size as it is already included as part of the capital budget he would think it is. Mr. Evans questioned if the issue of appropriation different from design and decisions related to the plans and specifications. He questioned if the Board of Education needs to approve the Committee's actions. The Town Manager responded that the Building Committee would be empowered in this case to do it; we could add language that says the final plans and specifications shall be presented and approved by the Town Council or Board of Education. Mr. Evans commented that he would be happy with it being presented and approved by the Superintendent of Schools and Town Manager. Chairman Zacchio commented that assuming we did not have to appoint a building committee at all how would it work. The Town Manager responded that once it is in the capital budget he would not come back for any other further approvals and would be at the staff level. Chairman Zacchio commented that we are appointing a building committee only because it is reimbursable and will be working with staff just like any other project we have if we did not appoint a building committee and would run the same way. He added that he would assume that they will be before the Board of Education and the Superintendent of Schools several times talking about design which fundamentally has already been done. The Town Manager commented that we are going to want to make sure that the Superintendent of Schools approves and he may want to bring it to his Capital Budget Committee or the Board of Education. He does not want to leave the impression that there is not going to be additional outside review and approval but assuming that then the Committee can move forward with the construction phase and execute and oversee it. Mr. Evans commented that so long as it is understood that there will be oversight by the Superintendent of Schools or Town Manager than he is fine with it. Chairman Zacchio responded that the Committee, employees of the Town, will be reporting to the Superintendent of Schools or Town Manager respectively.

On a motion made by Mrs. Maguire, seconded by Mr. Stokesbury, it was voted:
RESOLVED, that a Building Committee consisting of the Director of Public Works, the Manager of Accounting and Systems and the Grade 7-12 Science Coordinator is hereby established as the Building Committee with regard to the Science Laboratory/Classroom Project at the Avon Middle School.
RESOLVED, the first phase of the project will consist of retaining the services of an architect and subsequently working with the architect to develop the "Educational Specification" for the School Project, a detailed examination of the existing science facilities, the development of a "Space Needs Program," a comparative analysis of the recommended program and the space available within the existing facility, preliminary design concepts and project cost estimates. The final report will be presented to the School Building Committee for review and approval.
RESOLVED, the second phase shall commence at the sole discretion of the Town and only upon the successful receipt of funding. Phase II shall include all design phases required to complete the renovation of the Avon Middle School Science Labs including Schematic Design,

Design Development, Construction Documents, Bureau of School Facilities Review and Approval, Bidding Assistance and Construction Administration.
Mrs. Maguire, Messrs: Zacchio, Evans, Pena, and Stokesbury voted in favor.

14/15-69 Contract Recommendation: Purchase of a Compact Track Loader

Chairman Zacchio reported that this compact track loader would replace the skid steer that we have today. He questioned if there were any other bids. The Town Manager responded that there was only one bid in this case. He added that it was a sealed bid process, it was advertised as we normally do with open specifications. He noted that it is within the appropriation. Chairman Zacchio questioned what is being done with the current skid steer. The Town Manager responded that it will probably be auctioned off.

On a motion made by Mr. Pena, seconded by Mrs. Maguire, it was voted:
RESOLVED: That the Town Council award the contract for the purchase of a compact track loader to Bobcat of CT, Inc. of East Hartford, CT, based on their low bid in an amount not to exceed $96,886.54 and subject to budget approval at referendum on May 13, 2015 and purchase date on or after July 1, 2015.
Mrs. Maguire, Messrs: Zacchio, Evans, Pena, and Stokesbury voted in favor.

14/15-70 Approve Resolution: 2015 JAG (Justice Assistance Grant) Violent Crime Prevention Grant, $22,000

Chairman Zacchio reported that Chief Rinaldo and his team were successful in obtaining this grant. He noted that from the department's capital improvement budget presentation to us there was some need for forensic equipment and this year we were beginning to age on the forensic equipment piece and this grant will replace some of that equipment. He noted that the Police Department is to be commended for their efforts in getting the grant as we were not usually successful with those. Mr. Stokesbury commented that this would be an appropriate show and tell item when the equipment arrives, either before us or more importantly at Avon Day.

On a motion made by Mr. Stokesbury, seconded by Mr. Pena, it was voted:
RESOLVED by the Town Council of the Town of Avon
WHEREAS, the U. S. Department of Justice *Justice Assistance Formula Grant (JAG) Program*, through the State of Connecticut Office of Policy and Management, has made funding available to the Town of Avon Police Department under the JAG 2015 Violent Crime Prevention Grant Program; and,
WHEREAS, this funding, a one-time grant, in the amount of $22,000.00, will be used by the Town of Avon Police Department to assist in preventing violent crime and improving public safety by upgrading our forensic capabilities through the purchase of a Forensic Mobile Data tool and an evidence-grade digital camera, along with providing the necessary training to Police Officers in order to utilize this technology to its full potential.
WHEREAS, the funding period of this grant award is from April 15, 2015 through December 31, 2015, with no local matching fund requirements.
NOW, THEREFORE, BE IT RESOLVED, that Brandon Robertson, Town Manager is hereby authorized to make, execute, and approve, on behalf of the Town of Avon, any and all contracts and amendments, and to accept said funding and to execute and approve on behalf of this

municipality other instruments as part of or incident to the filing of Justice Assistance Formula Grant (JAG) Program, JAG 2015 Violent Crime Prevention Grant Program.
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

14/15-71 Appointment: Recreation and Parks Committee (R – 12/31/2015)

On a motion made by Mrs. Maguire, seconded by Mr. Evans, it was voted:
RESOLVED: That the Town Council appoint Laura Mensi to the Recreation and Parks Committee to fill a vacancy with a term to expire on December 31, 2015.
Mrs. Maguire, Messrs: Zacchio, Pena, Stokesbury, and Evans voted in favor.

14/15-72 Appointment: Planning and Zoning Commission - Alternate (R-12/31/2015)

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:
RESOLVED: That the Town Council table agenda item 14/15-72 Appointment: Planning and Zoning Commission (R – 12/31/2015) to the May 7, 2015 meeting.
Mrs. Maguire, Messrs: Zacchio, Pena, Stokesbury, and Evans voted in favor.

IX. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager reported with regard to the fire apparatus the chassis are supposed to come in early May. He noted that the Avon Middle School science lab was previously discussed earlier in the agenda.

Misc. B: Construction Update: The Town Manager reported that road improvement projects will get started very shortly; pavement plants will open next week. He added that there will be activity in terms of raising catch basins. He noted that the Director of Public Works was asked to look at the list of roads that we used as our markers when the supplemental appropriation was approved and to update it to see how it is going to roll out over the next couple of weeks. Chairman Zacchio commented that he spoke to the Deputy Director of Public Works and there was a request from a resident on Briar Hill Road who said that they had tried to get Connecticut Natural Gas (CNG) to pull gas down their street about a year ago and almost the whole road wanted it but CNG would have had to dig the road up; now that we are in the process of repaving that road let us take a look at and see how we can coordinate if there are opportunities for gas lines, sewer or water main maintenance. He added that we should follow this process for all of the roads we are working on this year because we are working on quite a few and have always been prudent about trying to coordinate any cuts that might have to take place to get it done while we are working on the roads and avoid not only the cost for the companies wanting to do that but the headache that we deal with in terms of the patch and degradation to our roads when it happens. He noted that we have a good pavement management policy around the cuts but we would rather not see them cut at all. The Town Manager responded that it is something that we do every spring to make sure that all of the utilities have the schedule so we do not get into that situation.

The Town Manager reported that solar projects are on task. He noted that we are working with KBA to take a look at Avon High School just like we did with Avon Middle School to double check the calculations that have come back from Solar City and all the design characteristics.

The Town Manager commented that in terms of a tour of facilities that Council had indicated interest in he is working with Bruce Williams, Director of Public Works and will try to get something scheduled when convenient for all Council members in late spring/early summer.

Misc. C: Director of Planning & Community Development: The Town Manager reported that the position has been advertised through a full scale recruitment, published it on all of the professional web sites, and trying to put the word out there. He noted that applications are due April 10th and will use a similar process as was done for the Director of Recreation and Parks position which includes a panel of outside experts that will help us, a panel of staff that would have a role of interacting with this position and then an interview with him and have the Planning and Zoning Commission Chair talk with either the finalist or the short list. Mr. Stokesbury asked for an update once the deadline has passed as to how many applicants. The Town Manager responded yes.

Misc. D: Solarize Update: Ann Dearstyne, Town Clerk, reported that the newest data that we received today shows that 20 contracts have been signed and just over 200 home site visits. She noted that the program was extended two weeks making the last day April 10th. Mr. Stokesbury questioned if they are finding that many homes are not situated to benefit from solar. Mrs. Dearstyne responded that a number of homes that they have gone to were too shaded or required too much to be done or residents wanted their home checked but were not in a position to move forward with it. Chairman Zacchio commented that we set the table for an opportunity for people to jump in. He noted that he recently traveled to North Carolina the solar farms in the rural areas taking over what used to be tobacco fields is amazing.

Misc. E: School Resource Officer: The Town Manager reported that the Police Department is looking to have that position staffed beginning in May. He noted that the Chief of Police and Superintendent of Schools have spent some time working out a basic operational agreement and based it on what Farmington uses for their School Resource Officer. He added that it is subject to funding out in the future but does a good of explaining what the expectations are and are both on the same page with it. Chairman Zacchio questioned if that Officer be stationed in a school 100%, full officer. The Town Manager responded yes. He noted that if there are emergencies in the area it is understood that if the Officer has proximity he can respond and there is also an expectation that the Officer is going to circulate to the other schools but primary base will be Avon High School.

The Town Manager also reported about the public safety program "you text, you drive, you pay" that is going on nationally. He noted that the Chief of Police has some things in mind for that, schedule it in a way that he can coordinate with high school activities.

Misc. F: Recreation and Parks Sub-Committee: The Town Manager reported that the sub-committee has scheduled three meetings on April 14th, April 28th, and May 12th and noted that the April 28th meeting is in the evening to try and mix it up with mornings and at least one evening meeting.

X. EXECUTIVE SESSION: Collective Bargaining
Land Acquisition

On a motion made by Mr. Pena, seconded by Mrs. Maguire, it was voted:
RESOLVED: That the Town Council go into Executive Session at 9:20 p.m.
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

The Town Manager and Town Clerk attended the session.

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:
RESOLVED: That the Town Council come out of Executive Session at 9:50 p.m.
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

XI. ADJOURN

On a motion made by Mr. Pena, seconded by Mr. Evans, it was voted:
RESOLVED: That the Town Council adjourn the meeting at 9:50 p.m.
Mrs. Maguire, Messrs: Zacchio, Pena, Evans, and Stokesbury voted in favor.

Attest:

Ann L. Dearstyne, Town Clerk