

**AVON TOWN COUNCIL  
MEETING MINUTES  
May 4, 2023**

**I. CALL TO ORDER**

The meeting was called to order at 7:00 p.m. at the Avon Town Hall, in the Selectmen's Chamber as well as via GoToMeeting by Chairman Polhamus. Members present: Mmes: Ausiello, Maguire, Messrs: Polhamus, Weber, and Indomenico. A quorum was present.

**II. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chairman Polhamus.

Chairman Polhamus acknowledged the banners on display in the Selectmen's Chamber related to the Brian D. Jones Paleoindian Site. The Town Manager noted that the site is located off Old Farms Road by the new bridge; the site has significant value as a historical site and in November Town Council authorized our consultant to apply the Historic Preservation Council of the State Historic Preservation Office to have the site located and registered on the State Register of Historic Places and the application was approved yesterday; David Leslie provided additional remarks about the site; this is rewriting the academic and scholarly understanding about Indigenous people in this part of the Northeast at that period of time, about 10,000-12,000 years ago; and Brian Jones' daughter represented the family and had very thoughtful remarks about her father who was instrumental in identifying the site. He added that the Town will be an excellent steward of the site. He noted that we have these banners that address a different aspect of the site, purchased in cooperation between the Town, the Avon Free Public Library, and the Avon Historical Society and they will make their way to different locations in Town. In response to an inquiry from Chairman Polhamus, the Town Manager responded that the agreement with the State includes very specific deliverables that will come back to the Town for display at a location of our choice.

**III. PUBLIC HEARINGS:**

**22/23-54 Acquisition & Leaseback of Property located at 645 West Avon Road**

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council open the public hearing.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

Chairman Polhamus waived the reading of the following notice:

"TOWN OF AVON  
LEGAL NOTICE

**NOTICE OF A PUBLIC HEARING**

Notice is hereby given that the Town Council of the Town of Avon, Connecticut will hold a Public Hearing on Thursday, May 4, 2023 at 7:00 p.m. at the Town Hall, Selectman's Chamber, 60 West Main Street, and virtually to consider and permit all interested persons to speak in connection with:

(i) The acquisition by the Town of Avon of real property consisting of approximately one and nine tenths (1.9) acres, commonly known as 645 West Avon Road in the Town of Avon, now or formerly owned by Carolann Baldwin, and all improvements and appurtenances thereto

(the “Property”) and the appropriation of \$375,000.00 for the payment in part of the costs related to the aforesaid acquisition, and

(ii) If the Property is acquired by the Town of Avon, the leasing of the Property by the Town to Carolann Baldwin for use as her primary residence for a period of up to one year following the date the Town of Avon acquires the Property.

A copy of the proposed purchase and sale agreement and the lease agreement have been drafted by the Town Attorney and are on file in the Town Clerk’s Office and open to the public for inspection during normal business hours.

Dated at Avon, Connecticut this 3<sup>rd</sup> day of April 2023.

Brandon L. Robertson, Town Manager”

Pamela Prenal, 651 West Avon Road, commented that she has lived next door to this piece of property for over ten years, is against the sale of this property to the Town as it is encroachment on the neighborhood and a loss of privacy, we already have noise from the pool and lights from the Senior Center and to have more of what we are not sure will be, we would rather have a single family house there; there is no plan after the one-year so perhaps the Town doesn’t need it but rather would just like it because it’s adjacent to what’s already there; the plan that you do have calls for no restrictions which is worrisome to her, right now it is a quiet and private neighborhood; her property value would decline; when she spoke to the Town Manager today she was told that it would be wise for the Town to buy it because it is adjacent to Town property but without a plan or restrictions she is worried; there would be more noise, construction of we don’t know what, and more traffic; it is zoned R-30 right now and would prefer it remain such; and she would like the neighborhood to stay as cohesive as it is right now without further encroachment on their privacy; it is their tax dollars and would essentially be purchasing this and she would prefer that her tax dollars did not go towards this purchase.

Laurie Vaillancourt-Pugsley, 4 Haynes Road, which abuts Ms. Prenal’s property, and commented that she is concerned about this purchase as well; the language is too open-ended for unrestricted municipal use; there is no plan except the demolition of the house and in keeping with the theme of the great history of this Town let’s not forget that Mr. Woodford was considered the great-grandfather of the Town and the house has historical value; she prefers the property remain a single family dwelling; this property is not indicated in the 2011 Land Use and Future Conservation Act so why is the Town pursuing this without a real plan. She reflected on the purchase of 99 Thompson Road (former MH Rhodes property) and how that did not pan out as a plan and that land lays fallow except for the occasional Avon Day, food truck festival, and vehicles turning left against traffic to get into the cue to pick up students at Thompson Brook School; 503 West Avon Road was purchased for a strategic purpose and that land also lays fallow; these pieces of property were purchased with funds from the Town which are taxpayer dollars and this is not how I want to see my tax dollars spent; thank you.

Victor Mitchell, Jr., 39 Hillside Avenue, Plymouth, commented that his parents owned this property before his sister acquired it; he spoke for his father who was a farmer; Avon was not built on the sweat from the folks that baristas at Starbucks or folks at Whole Foods, but built off of farmers and in this Town in the 1950s there were farms still in town; that seems to have disappeared over the years as it has in many towns and that property was stripped bare and homes were built there; he proposes the use of the property for something different, for a community garden; it would bring it back to what it was supposed to be, a farm; this would be honoring other farmers in

Avon, i.e. Thompson, Burnham, etc.; the house has some historical value and reportedly parts of the house was built back in the 1700s; thank you.

Chairman Polhamus appreciated the public comments; he can appreciate this being scary; we do not have an existing plan for it and the Town would be a good neighbor; we recently had a proposal on an addition to the Senior Center that was constrained by the property lines and a most likely scenario being looked at; and there are community gardens at Sycamore Hills now and perhaps we can expand.

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council close the public hearing.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Indomenico, and Weber voted in favor.

**22/23-80     Sanitary Sewer Easement: 5 Timber Lane**

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council open the public hearing.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Indomenico, and Weber voted in favor.

Chairman Polhamus waived the reading of the following notice:

TOWN OF AVON  
LEGAL NOTICE

Notice is hereby given that the Town of Avon, Connecticut will hold a Public Hearing on Thursday, May 4, 2023, at 7:00 p.m. at the Avon Town Hall, Selectmen's Chamber, 60 West Main Street, Avon, Connecticut to consider the acceptance of a sanitary sewer easement as defined below:

The Easement shall be located on that certain piece or parcel of land located at 5 Timber Lane and situated in the Town of Avon, County of Hartford and State of Connecticut said Easement Parcel being shown and designated as "SANITARY SEWER EASEMENT" on a certain map entitled "Compilation Plan Sanitary Sewer Easement". The location of the Easement on the Easement Parcel as shown as the Easement Plan shall be referred to herein as the "Easement Area".

A copy of the Easement map and document are on file in the Town Clerk's Office building #2 at Avon Town Hall.

Dated at Avon, Connecticut this 31<sup>st</sup> day of March, 2023.

Brandon L. Robertson, Town Manager"

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council close the public hearing.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

On a motion made by Ms. Ausiello, seconded by Mrs. Maguire, it was voted:

**RESOLVED:** That the Town Council approve the acceptance of a sanitary sewer easement located on a certain piece or parcel of land located at 5 Timber Lane and situated in the Town of Avon, County of Hartford and State of Connecticut and said Easement Parcel being shown and designated as "SANITARY SEWER EASEMENT" on a certain map entitled "Compilation Plan Sanitary Sewer Easement."

Mmes: Maguire, Ausiello, Messrs: Polhamus, Indomenico, and Weber voted in favor.

**IV. MINUTES OF PRECEDING MEETINGS:** March 30, 2023 Special Meeting  
April 25, 2023 Special Meeting

On a motion made by Ms. Ausiello, seconded by Mrs. Maguire, it was voted:

**RESOLVED:** That the Town Council accept the minutes of the March 30, 2023 Special Meeting as drafted.

Ms. Ausiello, Messrs: Polhamus, Indomenico, and Weber voted in favor. Mrs. Maguire abstained. Motion carried: 4-0-1.

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council accept the minutes of the April 25, 2023 Special Meeting as drafted.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Indomenico, and Weber voted in favor.

**V. COMMUNICATION FROM AUDIENCE** - None

**VI. COMMUNICATION FROM COUNCIL**

Ms. Ausiello thanked Bike Walk Avon for organizing the trail clean-up which had a good turnout; noted the Bicycle and Pedestrian Master Planning Public Meeting that was well attended, very informative, a lot of energy from participants, and she looks forward to the next meeting; shared a reminder to vote on May 10<sup>th</sup> at the budget referendum and let your voice be heard; noted that the Avon Free Public Library is hosting a DEEP informational session on May 11<sup>th</sup> at 7 p.m. regarding bear safety and tips, along with Representatives DeGraw and Exum; and looks forward to the Memorial Day parade.

Mrs. Maguire echoed Ms. Ausiello comments regarding trail clean-up; shared that the Garden Club will be decorating Town Hall campus and the Town Green on May 22<sup>nd</sup>; and shared that the Avon Lions Club will be hosting a pasta dinner fundraiser tomorrow night at the Avon Senior Center from 5-7:30 p.m.; and the Town Council Bike Ride is scheduled for May 18<sup>th</sup>.

Mr. Indomenico encouraged all to get and vote at the budget referendum; there is a lot of time and effort put into the budget.

Mr. Weber echoed comments regarding the Bike Walk Avon/Farmington Valley Trails Council trail clean-up; thanked Officer Kay Staszewski who helped with a Bike to School Day on May 2<sup>nd</sup> with about 50 families participating; and asked all to get out and vote at the budget referendum.

Chairman Polhamus echoed comments regarding the Bicycle and Pedestrian Master Planning Public Meeting; Town Council has been invited to march in the Memorial Day parade; Avon Friends for Equity will hold a community dialogue on May 31<sup>st</sup> from 6-8 p.m. at the Avon Free Public Library; he participated in the Bike to School Day; and asked all to vote at the budget referendum.

**VII. OLD BUSINESS**

**21/22-46 American Rescue Plan Act: Discussion re: Projects List**

The Town Manager reported that the original ARPA grant award was \$5.4 million and to date the Town Council and Board of Finance have appropriated just over \$3.8 million; a lot of progress has been made on these projects as noted in Council's monthly report and Town staff is doing a great job getting these projects done. He noted that there is about \$1.5 million left for appropriation. He noted that the \$424,000 grant that was awarded through Congresswomen Johana Hayes' office for the West Avon Road sidewalk project will require a 20% match from the Town, approximately \$106,000 and would be an excellent candidate for ARPA funding at a future meeting. He noted that we have spent a lot of time discussing the Sycamore Hills Multi-Purpose Room; there is a lot of merit to that project, but the time is not right for ARPA funding with the strict timeline, and we are about to embark on a strategic Recreation and Parks master planning process. Council gave consensus that the Sycamore Hills Multi-Purpose Room can be removed from the ARPA Projects list but should not be forgotten following results from the Recreation and Parks master plan. Chairman Polhamus noted a suggestion was made to him by ex-Town Council Chairman Zacchio to possibly use ARPA funding as seed money towards the replacement of the Avon High School turf field. Mr. Weber recommended using some remaining ARPA funding to beef up other areas in Town that need additional recreational space.

#### **22/23-26      FY 23/24 Budget Development**

The Town Manager noted that the budget referendum will take place on May 10<sup>th</sup>; the budget as proposed would require a 2.25% tax increase; we continue to use the Town's web site and Facebook page to send out reminders.

#### **22/23-54      Potential Acquisition of Property Located at 645 West Avon Road**

The Town Manager noted that Town staff has been talking to the Avon Historical Society and the Town Historian about the house on the property and Edgar Woodford who lived there from 1824-1862 was a noted abolitionist, a farmer, and accomplished cartographer; the property has some historical value, the original part of the structure dates back to the 1800s; if Council approves the acquisition, over the next year we will be talking to the Avon Historical Society to determine the appropriate way to commemorate the property, perhaps a storyboard or preservation of a portion of the house; we do not have a plan for the property right now, but if we don't purchase it now, it will be gone; as it currently sits there are no restrictions at all and we would lose its strategic value given its proximity to Sycamore Hills.

Mrs. Maguire commented that these are all reasons why it is an important property for the Town to purchase; we are good neighbors, we will take good care of the property and the right thing, if anything goes there, is done correctly with the beauty of Avon in mind; the property owners pursued the Town; it will be more of a partnership if the Town purchases it and she fully supports the acquisition. Ms. Ausiello appreciated the residents attending the meeting to voice their concerns; in the end you would be better served having the Town as a neighbor in terms of making sure there is little to no impact on your property, we could lose an opportunity to preserve any historical significance, and based on the location and its history she fully supports the acquisition as well. Chairman Polhamus commented that there is likely to be an empty lot for a long time than anything else; Sycamore Hills is our central recreation area and has a key value to the community because of that; your property value will never be hurt by being next to that; we will be a good neighbor, noted the additional buffering at the tennis courts, appreciates the concerns brought forward tonight, and does fully support the acquisition. Mr. Indomenico appreciates the concerns shared tonight, but it is the right thing to do and fully supports the acquisition. Mr. Weber agreed.

**a. Approve Resolution for Property Acquisition**

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** that the Town of Avon hereby authorizes and approves the acquisition of approximately 1.910 +/- acres of land known as 645 West Avon Road in the Town of Avon, now or formerly owned by Carolann Baldwin, and all improvements and appurtenances thereto (collectively, the “Property”), is hereby authorized and approved; and it is

**RESOLVED FURTHER:** that, if the Property is acquired by the Town of Avon, the Town of Avon hereby authorizes and approves the lease of the Property by the Town to Carolann Baldwin for use as her primary residence for a period of up to one (1) year from the date of the acquisition of the Property, it is

**RESOLVED FURTHER:** that, subject to the recommendation of the Board of Finance, the Town of Avon hereby authorizes and approves the appropriation of \$375,000.00 for the payment of the costs of the acquisition by the Town of Avon of the Property; and it is

**RESOLVED FURTHER:** That the Town Manager be, and hereby is, authorized and empowered, in the name and on behalf of the Town of Avon, to execute and deliver all such other and further agreements, instruments, certificates and other documents and to take all such other and further actions, as he shall approve as being necessary or appropriate in order to consummate the acquisition of the Property and to carry out and perform each and every obligation of the Town of Avon under the documents, instruments, and agreements executed in connection therewith, the Town Manager’s approval thereof to be conclusively evidenced by the execution and delivery of such documents and/or the taking of such actions; and it is

**RESOLVED FURTHER:** that the Town Manager be, and hereby is, authorized and directed on behalf of the Town of Avon to take all such action and to do or cause to be done any and all other acts, necessary or convenient in carrying out the foregoing resolutions and performing the obligations undertaken by the Town of Avon in connection therewith; and it is

**RESOLVED FURTHER:** that all acts of the Town Manager which would have been authorized by the foregoing resolutions except that such acts were taken prior to adoption of these resolutions, be, and they hereby are, individually and collectively ratified, confirmed, approved and adopted as acts on behalf of the Town of Avon.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

**b. Transfer of Appropriation, Fund Land Acquisition, \$375,000**

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council favorably recommends to the Board of Finance an appropriation in the amount of \$375,000.00 from General Fund, Other Financing Sources, Unassigned Fund Balance, Account #01-0390-43913 and transfer from General Fund, Other Financing Uses, Interfund Transfer Out, Account #01-8700-58000 to Capital & Nonrecurring Expenditure Fund, Town CIP-Facil/Land Acquisition, Potential Land Acquisition, Account #03-4848-53440, and Capital & Nonrecurring Expenditure Fund, Other Financing Sources, Interfund Transfers In, Account #03-0390-43918 for the purpose of funding a potential land acquisition.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

The Town Manager recognized Harry DerAsadourian, Town Assessor, who did much of the leg work on this. Council thanked Mr. DerAsadourian.

**22/23-70**     **Appointment: Town Council Representative-Farmington Valley Health District (12/31/2023)**

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council table agenda item 22/23-70 Appointment: Town Council Representative-Farmington Valley Health District (12/31/2023) to the June 1<sup>st</sup> Meeting.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Indomenico, and Weber voted in favor.

**22/23-79**     **Avon Volunteer Fire Department Facility Expansion, Renovation & New Construction**

**a. Review, Discuss, and Approval: Statement of Need**

Chairman Polhamus noted that this project is estimated to be around \$20 million; Council has gone on fire facilities tours and know updates are needed, but it is important that the public understands the issues; the Statement of Need does a good job of that along with the study from CGR.

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council approve the Statement of Need for the Avon Volunteer Fire Department Facility Expansion, Renovation & New Construction Project as presented.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Indomenico, and Weber voted in favor.

**b. Review, Discuss, and Approval: Building Committee Charge**

Chairman Polhamus noted that we have some very good candidates for the Building Committee, but we are still ironing out the size of the Committee.

On a motion made by Ms. Ausiello, seconded by Mrs. Maguire, it was voted:

**RESOLVED:** That the Town Council table agenda item 22/23-79 (b) Review, Discuss, and Approval: Building Committee Charge to the June 1<sup>st</sup> Meeting.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

**22/23-88**     **Appointment: Avon Water Pollution Control Authority (12/31/2026)**

On a motion made by Ms. Ausiello, seconded by Mrs. Maguire, it was voted:

**RESOLVED:** That the Town Council appoint Pam Monroe to the Avon Water Pollution Control Authority to fill a vacancy with a term to expire on December 31, 2026.

Ms. Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

**VIII. NEW BUSINESS**

**22/23-92**     **Police Department: Public Safety Update**

Paul Melanson, Chief of Police, provided a statement (which is attached and made part of these minutes) regarding recent criminal activity in Town. Lt. Schmalberger and Lt. Williams were also in attendance. Chief Melanson noted that WTNH-8 ran a segment on the news last night about the burglaries that have been happening in Avon.

Ms. Ausiello commented that we are feeling fearful, a sense of violation; asked to share the statement through the Town's web site, expressed that neighborhood watches are a great idea, and thank you to the Avon Police Department for all their hard work. Chief Melanson noted that all towns are dealing with the same issues with car thefts. In response to a question from Mrs. Maguire, Chief Melanson responded that he is not aware of a device that descrambles locks and start cars.

Ernie McNeill, 41 Tyler Court, commented that this is a very significant issue; job one is public safety, and we are losing control of this; he does not fault our officers, when there is no consequence for crime they become felons, we need to do something more active. He asked what public policy changes the Avon Police Department needs to combat these issues. Chief Melanson responded that he has been directed to call our State legislators; the issue is that in order to move juvenile cases to adult court the only way to do that is if it is in the best interest of the child and in the best interest of the community.

Council thanked Chief Melanson and the Avon Police Department for the work they do.

**22/23-93      Review, Discuss, Set Public Hearing: Proposed Amendments to Chapter 43 of the Town Code of Ordinances, "Peddlers, Solicitors & Closeout Sales"**

The Town Manager noted that this request involves a re-alignment with a modified statute to bring it into compliance with State law to bring our ordinance into compliance. Chief Melanson noted that this relates to the upcoming Lions Club festival with food truck vendors.

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council set a public hearing to be held at their June 1, 2023 meeting to consider and permit all interested persons to speak on the plan of the Town Council to amend and restate Town Ordinance Chapter 43 – Peddlers, Solicitors & Closeout Sales.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

**22/23-94      Beacon Communities LLC, 20 Security Drive, Tax Abatement Request**

The Town Manager noted that this project was approved by the Planning and Zoning Commission in September 2021 and is an affordable housing project in part; it has a lot of great elements and brings a lot of vibrancy to Avon in a great location on Security Drive with a nice connection to the Avon Village Center. He added that Beacon Communities approached the Town requesting assistance in the form of a tax abatement; they worked with the Assessor's Office; they need something that can be accommodated by the statutes, but it does require action by the Council and adopted in the form of an ordinance. Hiram Peck, Director of Planning & Community Development, noted that State General Statute 8-30g provides some goals for municipalities to adopt developments that provide affordable housing; in Avon, we have had a number of developments in the past years that have provided some affordable housing, the current percentage in Avon is just over 4%; the statute standard is 10%; a minimum of 30% of the proposed housing needs to be affordable within a project. He added that Beacon Communities' projects have been doing very well and are well respected throughout the state. He noted that we would like to do as much as we can to help Beacon Communities to move this project forward in the near future.



Dara Kovel, CEO, Beacon Communities LLC, provided an overview of the real estate firm; their portfolio covers housing in 12 states with over 18,000 units in over 150 properties; in Connecticut is Montgomery Mill Apartments in Windsor Locks, Parkside Village I in Branford, Knight Square in New Haven, Montgomery Place in New Haven, Southwood Square in Stamford, and The Homes at Avon Park in Avon at 20 Security Drive; the Avon location will include 172 units, a \$80 million investment. She noted that a tax abatement can stabilize the performance of a property and allows them to leverage more private resources. She added that this creates an amazing opportunity, creates a beautiful mixed income community, and we don't get chances and locations like this that often but would like to add this to our portfolio. Council agreed this looks like a great project. Chairman Polhamus noted that abatements are used all over the country as a tool to guide development in the direction we want it to go in and a tool to use later on and avoid development on open space. In response to a question from Chairman Polhamus, Ms. Kovel responded that as an example, the abatement with the Branford development is in partnership with the Branford Housing Authority has zero taxes for all eternity and allows them to borrow \$4-5 million in permanent debt to support the housing and allows them to raise capital; in New Haven, both abatements are a set base amount for twenty years. She noted that their mortgages are traditionally thirty or forty years but need to exit a 15-year period which is the tax credit compliance period, one of the major sources of financing on projects like this, more than 50%, will be from a private investor who buys low income housing tax credits that are administered by the State.

Ms. Ausiello noted that she would like to see the dollar amount and what that means for the Town; she is impressed with the company and the mission and excited about this project; we need it. She would support an ordinance. Mrs. Maguire supports this project, the company looks incredible, but worries about passing an ordinance until a proposed abatement is reviewed, as well as not setting a precedent; we are a great Town, a great Town to do business in, and a great Town to live in; people will want to come here. Ms. Kovel responded that their attorney has advised that Council could adopt the ordinance and approve the project within one action and becomes entirely at your discretion and would only be giving this to a property owner if they were giving the Town something in return. She noted that the creation of this level of affordable housing in the Town of Avon requires a lot of financial support from local, state, and federal resources but we will make all of that available to your team and why it is necessary to make the project viable and supports the outcome of creating quality affordable housing. Mr. Weber asked how long Beacon Communities typically holds on to the properties that are developed. Ms. Kovel responded that they are traditionally a very long-term holder, almost never sell properties depending on specific circumstances; we own and property manage them. Mr. Weber noted that he shares concerns about the cost to the Town, but the flip side is that building just sitting there with a cost as well and partnering with a developer who is willing to stay long-term and invest in the Town and that property is positive; he would support moving forward in developing an ordinance. In response to a question from Mr. Indomenico, the Town Manager responded that the State statute 8-215 allows the Town to have an enabling ordinance and adopt tax abatement agreements using the same process used to adopt an ordinance or adopt each agreement as an ordinance which the Town would be going in the direction of the latter. Mr. DerAsadourian confirmed that the Town can adopt the ordinance specific to this project; the ordinance could be modified for future projects, only applicable to affordable housing. The Town Manager noted that next steps would be to work with Beacon Communities to draft an agreement, bring it back to Council for discussion, a public hearing would need to be scheduled and held and then Council would act on the proposed agreement. Council extended thanks to Ms. Kovel. Council gave consensus to move forward as discussed.

**22/23-95**     **Proclamation: National Day of Prayer, May 4, 2023**

Chairman Polhamus read the following proclamation.

WHEREAS, this year's annual observance of the National Day of Prayer will be held virtually on May 4, 2023; and

WHEREAS, a joint resolution of the United States Congress, signed into law by President Harry S. Truman in 1952, established an annual day for prayer; and

WHEREAS, the declaration was amended in 1988 by both Chambers of Congress and signed by President Ronald Reagan, setting the permanent date for the National Day of Prayer on the first Thursday of May each year; and

WHEREAS, on this day we reflect upon the freedom and prosperity enjoyed by both the State of Connecticut and our Nation; and

THEREFORE, I, Dan Polhamus, as Chairman of the Town Council of Avon, Connecticut, do hereby proclaim the 4th of May, 2023 as the NATIONAL DAY OF PRAYER in Avon, Connecticut.

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council approve the National Day of Prayer as presented.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Indomenico, and Weber voted in favor.

**22/23-96**     **Review, Discuss, Set Public Hearing: Proposed Amendments to Chapter 41 of the Town Code of Ordinances, Parks & Recreation Public Place Regulations**

Ruth Checko, Director of Recreation and Parks, provided an overview of the proposed amendments; Town staff and the Recreation and Parks Committee discussed the proposed changes that are now before the Town Council; this final product will be clear, user friendly, consistent and current. In response to a question from Ms. Ausiello, Ms. Checko responded that we would use these revised regulations as a guideline for how we allocate gym space; first come, first serve except for Recreation and Parks programs and the Board of Education. Chairman Polhamus inquired how much revenue we bring in under User Code 2. Ms. Checko responded that the pandemic has impacted consistent revenue measurement comparisons. Mr. Indomenico commented that school space is governed by Board of Education policy and his suggestion would be to work with the Board of Education to align their usage policy with these proposed revisions. Ms. Checko clarified that during our youth basketball season in the winter Recreation and Parks holds the permit and is assigning the gym for the program so we would use this policy to point back to our priority list. Council thanked Ms. Checko for her presentation.

On a motion made by Mrs. Maguire, seconded by Mr. Polhamus, it was voted:

**RESOLVED:** That the Town Council set a public hearing to be held at their June 1, 2023 meeting to consider and permit all interested persons to speak on the plan of the Town Council to amend and restate Town Ordinance 41 – Public Place Regulations.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

**22/23-97**     **Review, Discuss, and Approval: Sexual Harassment Prevention Training for Elected/Appointed Officials**

The Town Manager reported that during the last legislative session, the General Assembly amended the CT Fair Employment Practices Act to change the definition of employee to include any elected or appointed of a municipality, board, commission, counsel or other governmental body and as a result you are supposed to have two hours of sexual harassment prevention training within six month of employment; any person who is on a Board/Commission or appointed by the Council requires this training biennially; currently, Town employees receive sexual harassment prevention training annually and that is a policy that Council put into place several years ago; we have drafted a memo that will provide options for elected or appointed officials to complete the required training.

On a motion made by Mrs. Maguire, seconded by Mr. Polhamus, it was voted:

**RESOLVED:** That the Town Council authorize the Town Manager to send out a memo to members of Town Boards, Commissions, and Committees regarding Sexual Harassment Prevention Training Requirements as presented.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

**22/23-98      Contract Award: Installation of a “Notifier by Honeywell” Fire Alarm & Mass Notification System at Pine Grove School in Accordance with Town of Avon Standard**

On a motion made by Ms. Ausiello, seconded by Mrs. Maguire, it was voted:

**RESOLVED:** That the Town Council award a contract to Anderson Electrical Contractors, Ltd of Hartford, CT to install a “Notifier by Honeywell” Fire Alarm and Mass Notification System at Pine Grove School in accordance with Town standard in an amount not to exceed \$309,000.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

**22/23-99      Contract Award: Avon Free Public Library Courtyard Renovation**

Glenn Grube, Library Director, shared that we are excited about the design and a ribbon cutting ceremony will be scheduled for August.

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council award a contract to Four Seasons Landscaping, Inc. of Windsor, CT to complete the renovation of the Avon Free Public Library Courtyard in an amount not to exceed \$140,671.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

**22/23-100      Contract Award: Sidewalk Improvement Project (West Avon Road-Phase I)**

The Assistant Town Manager reported that this is the STEAP grant that was awarded for this project; we originally planned on completing about 2,500 linear feet of sidewalk however bids came in well over the allotted funding; the new project scope will be about 1,800 linear feet of sidewalk running from the corner of Sunnybrook, down Country Club Road, and proceed down West Avon Road to around 460 West Avon Road; we will use funding in the amount of \$128,000 from the STEAP grant, \$25,000 from a capital project account, and Public Works will encumber about \$10,000 from its operating budget this year; the second phase will pick up where the first phase ends and hoping to implement it next summer with the \$424,000 federal award with the

Town's match of \$106,000 from ARPA funding and perhaps an additional funding request, to be determined.

On a motion made by Ms. Ausiello, seconded by Mrs. Maguire, it was voted:

**RESOLVED:** That the Town Council award a contract to Four Seasons Landscaping, Inc. of Windsor, CT to complete approximately 1,800 linear feet of sidewalk along West Avon Road in an amount not to exceed \$163,205.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

#### **22/23-101 Contract Extension: Janitorial Services**

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council approve a contract extension with Horizon Services Inc. of East Hartford, CT for a three-year period beginning July 1, 2023 and ending on June 30, 2026, in an amount not to exceed \$423,764.76 (Year 1 \$135,084.96; Year 2 \$141,163.68; Year 3 \$147,516.12) for janitorial services for Town-owned facilities.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

#### **22/23-102 Set Public Hearing Date: Neighborhood Assistance Act**

On a motion made by Ms. Ausiello, seconded by Mrs. Maguire, it was voted:

**RESOLVED:** That the Town Council set a public hearing to be held at their June 1, 2023 meeting to consider participation in the Neighborhood Assistance Act in accordance with Public Act 95-268.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

#### **22/23-103 Approval of Real Estate Tax Refund, \$4,622.51**

On a motion made by Mrs. Maguire, seconded by Ms. Ausiello, it was voted:

**RESOLVED:** That the Town Council approve a real estate tax refund to Andres Consuegra, Executor Estate of Maria L. Consuegra in the amount of \$4,622.51.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

### **IX. TOWN MANAGER'S REPORT/MISCELLANEOUS**

**Misc. A: Purchasing Update:** The Town Manager reported that regarding the Old Farms Road Phase I (North/South Section) Project, comments are expected from CRCOG by tomorrow and still on track to get out to bid by July.

**Misc. B: Construction Update:** The Town Manager reported that regarding the Public Safety Communication System Project, we are zeroing on pricing from Motorola; Public Works milled and paved a section of Rail Trail behind their yard; the Board of Education Annex parking lot needs a skim coat; the parking lot has been blocked off as cars speed through there during working hours; a gate solution was proposed, perhaps as part of Sperry Park improvements.

**Misc. C: ARPA Project Updates:** No additional highlights were provided.

**Misc. D: Bicycle and Pedestrian Master Plan:** The Assistant Town Manager noted that the May question has been posted and is about the public appetite for sidewalks.

**Misc. E: Unassigned Fund Balance Policy:** The Town Manager reported that we are working on updating this policy.

**Misc. F: Lt. Governor-Recognition of Veterans:** The Town Manager reported that the Lt. Governor is making the rounds to recognize veterans of the Vietnam and Korean wars; a ceremony will be held in July. He noted that the same thing was done for World War II veterans about ten years ago.

**X. EXECUTIVE SESSION:** Collective Bargaining

On a motion made by Ms. Ausiello, seconded by Mrs. Maguire, it was voted:

**RESOLVED:** That the Town Council enter into Executive Session at 9:37 p.m.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Weber, and Indomenico voted in favor.

The Town Manager, Assistant Town Manager, and the Clerk attended the session.

**XI. ADJOURN**

On a motion made by Ms. Ausiello, seconded by Mrs. Maguire, it was voted:

**RESOLVED:** That the Town Council adjourn the meeting at 9:51 p.m.

Mmes: Maguire, Ausiello, Messrs: Polhamus, Indomenico, and Weber voted in favor.

Attest: Jennifer Worsman, Clerk