

Town Council Minutes 09/12/2013

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AVON TOWN COUNCIL

MEETING MINUTES

September 12, 2013

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. Samul and Messrs: Evans and Pena.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Zacchio.

III. PUBLIC HEARINGS - None

IV. MINUTES OF PRECEDING MEETING: July 11, 2013 Regular Meeting

On a motion made by Mr. Evans, seconded by Mrs. Samul, it was voted:

RESOLVED: That the Town Council accept the minutes of the July 11, 2013 Regular Meeting as submitted.

Mrs. Samul, Messrs: Zacchio and Evans voted in favor. Mr. Pena abstained due to his absence from the July 11th meeting.

V. COMMUNICATION FROM AUDIENCE - None

VI. COMMUNICATION FROM COUNCIL

Chairman Zacchio recognized the loss of Councilman Dr. Christopher May and asked everyone to observe a moment of silence.

Mr. Pena reported that he attended the 9/11 Memorial Service at Company #1. He noted that the Town Manager was there as well. It was a nice event and he is glad the Avon Volunteer Fire Department continues to have this event.

VII. OLD BUSINESS

12/13-64 Appointment: Natural Resources Commission (R – 12/31/2013)

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council table agenda item 12/13-64 Appointment: Natural Resources Commission (R – 12/31/2013) to the October 3, 2013 meeting.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

VIII. NEW BUSINESS

13/14-06 Supplemental Appropriation: Avon Police Department, Traffic Counter/Speed Display Equipment, \$13,079.50

Chairman Zacchio reported that this topic was discussed at a prior meeting. He asked the Town Manager to work with the Chief of Police on what types of units we would want to purchase and how quickly we could get them. He noted that since the Council did not meet in August he had given the go ahead to the Town Manager to put this item in front of the Board of Finance for a supplemental appropriation which is not our normal way of conducting business as Council would make that recommendation. He noted that Council had already given their support to purchase these items and the dollars are within the Police Department's Fund. He reported that this goes along with some of the work that the Police Department has been doing around targeted traffic enforcement and other activities.

Mark Rinaldo, Chief of Police, reported that this supplemental appropriation is for the purchase of two speed boxes and one traffic counter.

Mr. Evans supports this and thinks it is a relatively modest expense for something that is really good for the safety in Town. He commented that the monitor will provide data that will give value. Mr.

Pena agreed.

On a motion made by Mr. Pena, seconded by Mr. Evans, it was voted:

RESOLVED: That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed \$13,079.50 from Police Special Services Fund, Other Financing Sources, Unassigned Fund Balance, Account #07-0390-43913, to Police Special Services Fund, Special Services, Other Equip, Account #07-2109-53319 for the purpose of purchasing a new traffic counter and radar speed monitor.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

On a motion made by Mr. Pena, seconded by Mr. Evans, it was voted:

RESOLVED: That the Town Council adds an item to the agenda, "13/14-06A Approve Proclamation: "No Texting While Driving Day."

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

13/14-06A Approve Proclamation: "No Texting While Driving Day"

Chairman Zacchio reported that between when we created the agenda and today we received a request from AT&T to make September 19, 2013 "No Texting While Driving Day" and by act of the Town Council and a proclamation we can achieve that. He added that it goes well with what the Police Department is trying to do. We have supported a number of other events that the Chief of Police and staff have planned. He recommended that Council approve the proclamation which he read aloud.

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council approve the following Proclamation:
"No Texting While Driving Day"

September 19, 2013

Whereas texting has become the way many people communicate today, which means some people are doing it at the worst possible time - while driving, and

Whereas texting while driving is involved in over 100,000 motor vehicle crashes each year, often causing injuries and deaths, and

Whereas those who text while driving are 23 times more likely to be involved in some type of safety critical event as compared to those drivers who don't text while they drive, and

Whereas in 2009 AT&T launched the public awareness campaign "It Can Wait" to educate the public about the dangers of texting while driving by encouraging consumers to take the personal pledge not to text while driving, and

Now, therefore be it proclaimed, that Avon, Connecticut designates September 19, 2013 as "No Texting While Driving Day" to focus attention on the dangers of texting while driving, and

Be it further proclaimed that the members of the Avon Town Council have taken the personal pledge to not text and drive, support efforts to raise public awareness about the dangers of texting while driving and encourage others to take the pledge not to text and drive.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

Mr. Pena commented that this is a good proclamation since texting is a concern. He inquired whether or not there was a public relation campaign to make people aware of this event. Mark Rinaldo, Chief of Police, responded yes. Mrs. Samul questioned if this was building on the Orange Ribbon Campaign. Chief of Police Mark Rinaldo responded yes. Chairman Zacchio commented that there is a radar system at the front of the high school which is another way to continue on with the ribbon campaign through awareness of the speed of cars.

Chairman Zacchio thanked the Police Department. He noted that Council received copies of two letters, one from Mr. Lane who had an event down by the river and was very thankful that the Police Department was there and specifically Officers Sue Kassey and Lisa Petkis. He added that his letter reminded us that when he needed help they were there; a lot of times they are just behind the scenes and doing the work that is done on patrol and when the emergencies come getting a letter from him are really powerful. He thanked the Officers and the Chief of Police. Chairman Zacchio also thanked the

Police Department from the compliments shared by the Girl Scouts in their thank you letter.

13/14-07 Avon Police Department: Supplemental Appropriation Request, \$130,000

Chairman Zacchio reported that this appropriation is coming from Fund #7 which is the same fund used for the speed equipment. He noted that this is to purchase two additional police cruisers. He commented that in the budget process we had three on order from last fiscal year and we had discussion around purchasing them within the capital budget; we knew that we had some dollars available in Fund #7, put it off and decided to use these funds now. He reported that we have two on the road now and one at Public Works that is getting setup; this appropriation would be for an additional two cruisers to replace two older cruisers. Mrs. Samul shared concern about all of them coming up again at the same time. Chairman Zacchio responded that we have a number of older cruisers and all five of them will probably be on a block compared to the ones that will need to be replaced in the next two to four years. He commented that with today's cruisers the longevity has been better as quality has improved. He noted that he was discussing with the Chief of Police how Ford no longer makes the Crown Victoria and that has been the staple of the police departments across the nation for so many decades. He added that with these new platforms the longevity is something that remains to be seen and when that time comes they will have to pay close attention to how those are wearing across the 60-70,000 mile range as compared to the Crown Victoria. Mr. Pena questioned if at anytime we have officers that should be out but do not have a car. Chief of Police Mark Rinaldo responded no. Mr. Pena questioned if the cost includes the necessary equipment that needs to be included in the police cruiser. Chief of Police Mark Rinaldo responded yes. Chairman Zacchio commented that typically as done in the past we use them to shift them to off-duty jobs or to the Department of Public Works. He noted that the two cruisers that will be replaced will be auctioned as they are well over their useful mileage unless the Department of Public Works decides to replace something in their fleet.

On a motion made by Mrs. Samul, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed \$130,000 from Police Special Services Fund, Other Financing Sources, Unassigned Fund Balance Account #07-0390-43913 and transfer from Police Special Services Fund, Other Financing Uses, Interfund Transfer-Out Account #07-8700-58000 to Capital Projects Fund (Facil & Equip), Town-CIP Equipment, Vehicles Account #02-4844-53311 and Capital Projects Fund (Facil & Equip), Other Financing Sources, Interfund Operating Transfers In Account #02-0390-43918 in the amount of \$130,000 for the purpose of purchasing two new fully equipped APD Cruisers.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

13/14-08 Supplemental Appropriation: Bright Ideas Grant Revenue (\$10,000) to Fund 02 Capital Designation for Facilities

Chairman Zacchio reported that the grant process was approved at Council's last meeting. He added that the \$10,000 is going back into Fund #2 and we intend on leaving it there as a reserve so it can be used for any Town owned building and would include schools, Public Works, or the Town Hall Campus.

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council hereby recommends that the Board of Finance amend the FY 13/14 Budget by increasing:

REVENUES

Capital Projects Fund (Facility and Equipment), Intergovernmental, Energy Program Grant, Account #02-0330-43373 in the amount of \$10,000.00

and increasing

APPROPRIATIONS

Capital Projects Fund (Facility and Equipment), Designated for Capital Reserve, Future Capital Exp. - Facilities, Account #02-4873-53054, in the amount of \$10,000.00, for the purpose of recording a CL&P Bright Idea Grant for the installation and upgrade of the A/C unit at Town Hall.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

13/14-09 Review and Discussion: Proposed Revisions to Town of Avon Personnel Rules

Chairman Zacchio reported that the proposed changes were generally held to either updates around what has changed in the legal space around personnel rules and/or clarification of something that was previously in there that needed further description. He added that the Director of Human Resources used the opportunity to give it to our union representatives and get feedback from them as well. He noted that by Town Charter the Town Council has to approve any changes to the personnel policy that the Town Manager suggests.

William Vernile, Director of Human Resources, reviewed the proposed changes with Council.

Mrs. Samul questioned Chapter 8-7 – Funeral Leave and the thought behind the two-tiered system.

The Director of Human Resources responded that it breaks out by immediate family members versus extended family members. Mrs. Samul commented that she is uncomfortable with it. She gave as an example if her son-in-law dies he is put in a different category than her daughter and in fact her daughter might need her attention more with the loss of her husband. She would like to see one policy and we are talking about one day between the two tiers. Chairman Zacchio questioned which tier more closely mirrors a more typical bereavement policy. Mrs. Samul acknowledged that one can use other earned time but commented that Tier 2 is still low. She noted that if it will remain two tiers that is fine, but she does not have a problem with giving all of our employees, union or non-union, that one extra day. She added that she does not think that in every case people in either tier are necessarily going to use the maximum number of day. Chairman Zacchio commented that they would then be inconsistent with the union contracts. Mrs. Samul responded that she would change the union contracts. Mr. Evans questioned if this policy is primarily to govern a non-union employee to the Town, what happens if there is a conflict with a union contract and this document itself. The Town Manager responded that if there is a conflict we have to govern what it is in the contract. Mr. Pena commented that he understands where Mrs. Samul is coming from but it might be best to leave it as it is because of the union contracts. Chairman Zacchio commented that we try to stay as close to the bargaining contracts as possible. The Town Manager added that this is something that Council can review at anytime and adopt resolutions to change particular sections. Mr. Pena questioned if we compared this to other towns and what they are using. The Director of Human Resources responded yes.

Mr. Pena questioned Chapter 9 and if that is standard with what other towns are using. The Director of Human Resources responded that not all municipalities are following these same standards. Mrs. Samul commented it does talk about public office and she thought that some of it was misleading in that elected officials are governed under Chapter 9. She reviewed this with the Town Manager and elected officials are not governed under Chapter 9. The Town Manager noted that is boiler plate language from the Rules of Conduct for Elected Officials as well. Mrs. Samul clarified that Chapter 9 refers solely to employees. The Director of Human Resources responded yes. Mrs. Samul added that we are adjusting Chapter 9 for our employees to be reflected of what we already have for our elected officials. The Director of Human Resources responded yes.

The Town Manager reported that he and Mrs. Samul were going over the Plan prior to the meeting and Mrs. Samul did notice a few minor errors, issues of consistency for instance in some sections it talks about the Comprehensive Personnel Plan versus the Personnel Plan. He added that we will go through and make sure that there is consistency.

On a motion made by Mrs. Samul, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council approves the Town of Avon Personnel Rules with changes and consistencies as discussed.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

13/14-10 CCM Energy Solar Photovoltaic (PV) Program Participation

Chairman Zacchio reported that the Clean Energy Commission, the Town Manager and his team have been working on the possible installation of solar panels. He noted that the process that we would be

approving would give the Town Manager the authority to work with CCM to come up with the process and over some period of time this would be back before Council in terms of whether we want to approve that or not. He noted that CCM has been very successful as an organization applying for these types of things, about 80% effective, versus if we went out on our own at a successful rate of 20-30%. The Town Manager noted that Bob Bullis and Dr. Mitch Kennedy, Avon Clean Energy Commission members, are in the audience. He reported that a potential site for solar panels is on the Avon Middle School roof but will look at other possible sites. He noted that CCM will conduct this assessment by looking at the physical locations and then making recommendations. He added that CCM would provide a proposal with the cost benefit analysis for the projects, what the payback is, and then decide what we would like to do. He reported that there is no upfront cost to the Town. He reported that CCM gave a presentation to Town staff and Gary Mala and his staff. Mr. Pena questioned how old the roof is at the Avon Middle School. The Town Manager responded that it is approximately five years old. Mr. Evans commented that the provider installs the solar panels and get reimbursed for their capital outlay through the sale of electricity back to the Town. He questioned for how long that happens. Dr. Kennedy provided a response. Mr. Evans questioned who becomes responsible for maintenance and repair of the solar panels. Dr. Kennedy provided a response. Chairman Zacchio questioned if what you are seeing in the industry around this process is positive for the Town in terms of dollars. Council gave consensus to the Town Manager to move forward and work with CCM to develop this process.

13/14-11 Approve Fiscal Year 2014/2015 Budget Calendar

On a motion made by Mr. Pena, seconded by Mr. Evans, it was voted:

RESOLVED: That the Town Council adopt the Fiscal Year 2014/2015 Budget Calendar as follows:

ACTIVITY

LATEST DATE

PER TOWN CHARTER

RECOMMENDED

DATE

Capital Budget Forms Prepared
and sent to Departments

August 05, 2013
Operating Budget Forms Prepared
and sent to Departments

September 06, 2013
Completed Capital Budget Forms
returned to Town Manager

October 04, 2013
Completed Operating Budget Forms returned to Town Manager
February 15, 2014
November 01, 2013

Town Manager's Proposed Operating and Capital Budget submitted to Town Council
March 01, 2014
January 17, 2014

Board of Education Budget to Town Council
February 15, 2014
February 14, 2014

Capital Improvement Program Submitted to Planning & Zoning Commission for Sec. 8-24 Review

March 04, 2014

Budget Work by Town Council completed and Budget Submitted to Board of Finance

April 01, 2014

March 24, 2014

Public Hearing on Budget held by Board of Finance not later than three (3) weeks before May 05, 2014 Town Meeting

April 14, 2014

April 07, 2014

Board of Finance Completes Work on Budget

April 09, 2014

Copy of Budget approved by the Board of Finance printed in Newspaper at least five (5) days before the Annual Town Meeting

April 30, 2014

April 29, 2014

Annual Town and Budget Meeting First Monday in May

May 05, 2014

May 05, 2014

First Referendum

May 16, 2014

May 14, 2014

Second Referendum

June 06, 2014

June 04, 2014

Third Referendum

June 27, 2014

June 25, 2014

Mrs. Samul, Messrs: Zacchio, Pena, and Evans voted in favor.

13/14-12 Resignation: Avon Water Pollution Control Authority

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council accept with regret the resignation of Jim Miller from the Avon Water Pollution Control Authority.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

13/14-13 Resignation: Natural Resources Commission

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council accept with regret the resignation of Candace Gunn from the Natural Resources Commission.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

13/14-14 Resignation: Youth Services Advisory Board

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council accept with regret the resignation of Kim Pikor from the Youth Services Advisory Board.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

13/14-15 Appointment: Youth Services Advisory Board

On a motion made by Mrs. Samul, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council appoint Susan Alexe to the Youth Services Advisory Board.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

On a motion made by Mr. Pena, seconded by Mr. Evans, it was voted:

RESOLVED: That the Town Council adds an item to the agenda, "13/14-15A Appointment: Zoning Board of Appeals.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

13/14-15A Appointment: Zoning Board of Appeals (D – 12/31/2013)

On a motion made by Mr. Pena, seconded by Mr. Evans, it was voted:

RESOLVED: That the Town Council appoint Daryl Worobow to the Zoning Board of Appeals with a term to expire on December 31, 2013.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

13/14-16 Review, Discussion & Approval: Agreement: UCONN EMS Services

Chairman Zacchio reported that this contract went into effect on July 1st. He noted that there was some new management on the UCONN side that caused some delays in getting the contract however we have been receiving their service throughout that time.

On a motion made by Mr. Pena, seconded by Mr. Evans, it was voted:

RESOLVED: That the Town Council authorizes the Town Manager to execute the agreement with UCONN for paramedic services for a period of one year from July 1, 2013 to June 30, 2014.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council adds item 13/14-17 Appointment: Avon Water Pollution Control Authority to the agenda.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

13/14-17 Appointment: Avon Water Pollution Control Authority

On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council appoint Chris Roy to the Avon Water Pollution Control Authority with a term to expire on December 31, 2013.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

The Town Manager reported that Ann Dearstyne, Town Clerk, will be the new Clerk for the Town Council.

IX. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager provided a brief update on these items.

Misc. B: Construction Update: The Town Manager provided a brief update on these items.

Misc. C: AVFD Length of Service Award Program (LOSAP): The Town Manager reported that the

AVFD, through Bud Desmond, has requested a modification to the vesting period from 15 to 10 years of the Department's Length of Service Award Program (LOSAP). He noted that modifications to the Plan require the approval of the Town and should come before Council for action at their October meeting.

Misc. D: Presentation to Chamber of Commerce: The Town Manager reported that a presentation will be made to the Chamber of Commerce by himself, Steve Kushner (Town Planner), and Harry DerAsadourian (Town Assessor) on Tuesday, September 24th at 8:30 a.m. at the Library. He noted that the purpose of the presentation is to talk about doing business in Avon.

The Town Manager reported that new signage is being installed along the Greenway.

X. EXECUTIVE SESSION: Possible Claim Against the Town and/or Fire Department
Heart and Hypertension

On a motion made by Mr. Pena, seconded by Mrs. Samul, it was voted:

RESOLVED: That the Town Council go into Executive Session at 8:45 p.m.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

The Town Manager, Town Clerk, and Dwight Johnson, Town Attorney 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 9:45 p.m.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor.

XI. ADJOURN

The meeting was adjourned at 9:45 p.m.

Attest:

Ann L. Dearstyne, Town Clerk