

**AVON TOWN COUNCIL
MEETING MINUTES
December 1, 2016**

I. CALL TO ORDER

The meeting was called to order at 7:05 p.m. at the Avon Town Hall, in the Selectmen's Chamber by Chairman Zacchio. Members present: Mrs. Maguire and Messrs: Zacchio, Stokesbury, and Pena. Mr. Speich was absent.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Zacchio.

III. PUBLIC HEARINGS

16/17-18 Fisher Farm Lease (West Side of Tillotson Road)

The Public Hearing was called to order at 7:05 p.m. by Chairman Zacchio. Chairman Zacchio waived the reading of the following legal notice:

"TOWN OF AVON
LEGAL NOTICE
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Town Council of the Town of Avon, Connecticut will hold a Public Hearing on Thursday, December 1, 2016 at 7:00 p.m. at the Avon Town Hall, Selectman's Chamber, 60 West Main Street, Avon, CT to consider the following:

To consider and authorize the proposed Amended and Restated Fisher Farm Lease located on the west side of Tillotson Road. The terms of the lease have been coordinated with the Town of Farmington and the Town Attorney.

A copy of the proposed lease is on file on the Avon Town Clerk's Office and open to the public for inspection during normal business hours.

Dated at Avon, Connecticut this 4th day of November 2016.

Brandon L. Robertson, Town Manager"

The Town Manager recognized Rodger Phillips with Sub Edge Farm who was present in the audience. He noted that this lease goes back to 2014; originally it allowed for a two-year extension but Rodger and his family have done a really outstanding job and he talked with Farmington about it and going out three years to 2019 made a lot of sense. He recommends approval of the extension. Chairman Zacchio commented to Mr. Phillips that the farm looks great and thank you.

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

RESOLVED: That the Town Council close the public hearing.

Mrs. Maguire, Messrs: Zacchio, Stokesbury, and Pena voted in favor.

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

RESOLVED: That the Town Council approve the proposed Amended and Restated Fisher Farm Lease located on the west side of Tillotson Road which includes a three-year extension through 2019.

Mrs. Maguire, Messrs: Zacchio, Pena, and Stokesbury voted in favor.

16/17-19 Fisher Farm Lease (East Side of Tillotson Road)

The Public Hearing was called to order at 7:05 p.m. by Chairman Zacchio. Chairman Zacchio waived the reading of the following legal notice:

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Notice is hereby given that the Town Council of the Town of Avon, Connecticut will hold a Public Hearing on Thursday, December 1, 2016 at 7:00 p.m. at the Avon Town Hall, Selectman’s Chamber, 60 West Main Street, Avon, CT to consider the following:

To consider and authorize the proposed Amended and Restated Fisher Farm Lease located on the east side of Tillotson Road. The terms of the lease have been coordinated with the Town Attorney.

A copy of the proposed lease is on file in the Avon Town Clerk’s Office and open to the public for inspection during normal business hours.

Dated at Avon, Connecticut this 4th day of November 2016.

Brandon L. Robertson, Town Manager”

The Town Manager reported that this farm is approximately 108 acres and we are recommending a two-year extension of the existing lease with a few minor modifications. He noted that the lease is with Dan Logue who grows corn on the land; we negotiated a 2.5% increase in the fee which would bring the annual fee to \$8,300 and all of the revenue is deposited to the Fisher Meadows Special Revenue Fund. He added that the primary change is that we are excluding the piece to the north of Fisher Meadows from the lease going forward because of our plan to develop the playing fields in the spring of 2017. Mr Stokesbury questioned if the revenue from the west side of Tillotson Road is also contributed to the Fisher Meadows Special Revenue Fund. The Town Manager responded that is a one dollar annual lease but there is a requirement that a portion of the produce that is produced from the farm be given to a non-profit in Town and those are Gifts of Love and Avon Old Farms School.

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

RESOLVED: That the Town Council close the public hearing.

Mrs. Maguire, Messrs: Zacchio, Pena, and Stokesbury voted in favor.

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

RESOLVED: That the Town Council approve the proposed Amended and Restated Fisher Farm Lease located on the east side of Tillotson Road and authorizes the Town Manager to make such minor changes as he deems necessary and appropriate.

Mrs. Maguire, Messrs: Zacchio, Pena, and Stokesbury voted in favor.

IV. MINUTES OF PRECEDING MEETING: November 3, 2016

Corrections to the November 3, 2016 Meeting minutes were made as follows:

On page 9, 1st full paragraph, 15th line, change “believe” to “believes,” on page 13, 1st line, change “Dupee” to “Deppe,” and on page 19, last paragraph, 1st line, remove “would.”

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

RESOLVED: That the Town Council accept the minutes of the November 3, 2016 Meeting as amended.

Mrs. Maguire, Messrs: Pena, Stokesbury, and Zacchio voted in favor.

V. COMMUNICATION FROM AUDIENCE

James Genco, 25 Vermillion Drive, commented that he has been working with many neighbors about what we consider a matter of public safety and that is specifically having an adequate water supply in our residential area from which firemen will use equipment to draw water to fight fires in the area. He noted that a few Council members were present after the fire at 35 Vermillion Drive and one thing that came very apparent in talking with the Fire Department afterwards, and the Fire Marshal who has been very helpful, is that they did repeatedly run out of water. He noted that highlighted for them the fact that this is a serious issue that needs to be addressed. He comes before Council tonight speaking on behalf of a number of the neighbors, some who are present tonight to show a sense of concern, because a number of things have transpired and we are feeling frustrated that we are not getting any action from the Town to move this forward. He reported that after the fire we had a meeting with the Fire Department; they were very accommodating and explained to us the different issues in fighting the fire and had a follow-up with the Town Manager and ranking Fire Department officers and it became clear that there were not a lot of options; Avon Water Company came in at the residents’ request and made a presentation about the cost that would be involved in extending water mains from the Hunter Run area and across which ran over \$1.5-1.8 million and seemed cost prohibitive at the moment. He added that we were then directed to look at cisterns. He noted that this work has really been done by neighbors and not really the Town; we have taken about ourselves to see what viable options we have because there is a lot of concern about having inadequate water. He added that they met with the Fire Marshal about this a few times and he has been very cooperative who identified potential sites. He noted that one of the neighbors talked to a number of companies about what would be involved. He commented that realistically we are looking at \$100,000 per cistern and that is before we start looking into location and the issues of how you would install them. We would like it to be considered as a long term remedy but as a short term remedy it came to their attention that a pond located on Oak Bluff which runs up to the neighborhood and one of the neighbors, Brian Harvey, had an experience with the Army Corp of Engineers and is very skilled in such matters and spent a fair amount of time doing an in-depth analysis of the water volume whereas the cistern could hold perhaps 30,000 gallons of water which would allow the Fire Department to fight the fire for a half hour the pond conservatively has 600,000 gallons of water in it. He noted that there is an easy remedy and that is putting in a dry hydrant, similar to one that is on Vermillion Drive off of Far Hills. He noted that we have not been able to, as neighbors, pursue anything further in pricing; only to represent to you that we have spoken to land owners that about the property who are very amenable and are surprised this has not been done before. He commented that we are here tonight because frankly in

presenting this to the Town we have not felt that there has been any desire to pick up the ball and run with it. He noted that he has had an open relationship with the Town Manager; this is not a criticism and knows there is a lot of the plate but we as neighbors and as a part of this community feel that there should be a very concerted, immediate effort to explore the possibilities of putting in a dry hydrant into this location. He noted that Mr. Harvey spent a fair amount of time with one of the Deputy Fire Chiefs of Avon, Bruce Appell, and the idea was very well received and thought it was very plausible and feasible and how the water could be then taken up to the community. He commented that we are looking for support from the Council to put this in motion. He noted that when we met yesterday with the Town Manager, Town Engineer, and Fire Marshal they were interested but there was no commitment whatsoever to move forward. He added that everything has been done today so far in the ten months since the fire by the neighbors; there is no Town activity in doing this and does not think anything would have been done had it not been for us pushing it and having the good fortune of having somebody with skills from the Corp of Engineers who has been able to make this a much more educated approach. He added that we really do feel that we need support from the Town, that this is something that does go to a fundamental responsibility of the Town and that is that police and fire protection are among the most fundamental obligations of Town and government to supply to the citizens/residents. He added that we are hoping and are asking you to do everything within your power to see that this is pushed forward, that it is funded; we understand that there need to be feasibility studies and things done but we do not want this to be a reason to indefinitely postpone it because every day is a day without what we consider to have inadequate fire protection and it is only through the nature and fate that this kind of pocket of Town seems to have ended up without hydrants or better cisterns for whatever the reason; we are not faulting anyone but it is an obvious problem and we saw that ten months ago and we are hoping that the Town will take some very prompt action to try to remedy that.

Chairman Zacchio appreciated the residents for coming in; it is important issue and we know that you have been working with the Fire Marshal and the Fire Department. He added that we just became aware today, actually at the last conversation and the idea around a potential dry hydrant there and as pointed out even if we were to move forward with something like that, first it drives from the Fire Department's assessment of will it help and is it the right course of action because if we are trying to solve for a problem that our current tanker system cannot provide. He will ask the Fire Department, many of whom are here tonight, who are presenting their capital budget to consider that and it sounds like Bruce Appell is already somewhat aware of the dry hydrant idea and work that process through to say is that really a suitable solution and what do we have to go through to get there. He commented to realize that we have capital planning that runs out 1, 3, 5, and 10 years; we have a number of capital projects that sit on the program today that run up against our budget but we have in the past found projects like this that are a desired need to circumvent that process and get into a capital planning and a capital outlay for a solution. He noted that it is good that you are here, it is good that you are talking about it, it is good that we have come to this point through the Fire Department and Town's work with you. He added that we do not have a solution today. He noted that the idea of not having any water up there personally scares him and has thought about it; more than 20% of the Town is in the R2U zone and does not have water there. He added that the Fire Department has a tremendous job of creating the task force and plans around these neighborhoods and bigger buildings and to their credit they would have to come to us and say we have a better idea here and based on this situation and the work we have recently done with the neighborhood this is how we want to

proceed; from there it does get into a process, any time you are talking about the waterways there will be easements with the property owners and it is great that you have reached out to them so that process can be smoother. He added that it would have to go through Wetlands and whatever the design looks like we would deal with that. He thanked Mr. Genco and the residents for coming, appreciate the input, realize the situation for sure. He recommended that if you are really concerned at this point to look into a possible fire suppression setup for your house; they are costly from \$2-7 per square foot; he looked at it himself at one time and he is near a fire hydrant because our Fire Marshal himself has one in his house and he is near a fire hydrant. He noted that it is a thought from a short-term perspective if you are really concerned.

Chairman Zacchio asked the Fire Department for any input or the Town Manager for a recommendation on how we might proceed and take all of that and put it into an actionable statement if you would. The Town Manager commented that Mr. Genco, Mr. Harvey, Town Engineer, and the Fire Marshal met as a group for the first time yesterday to hear what they have been talking about with Bruce Appell on this concept of the dry hydrant and they have done a lot of great leg work. He added that looking it all over, this is a process that has to mature over time and the first step in the process is that the Fire Department has to identify that this is a solution that is necessary in the area and that it is the most strategic solution keeping in mind that as it is now when you drill on this constantly we do have the mutual aid agreement with the other communities for the tanker strike force which was working during the fire last year. He added that this is something that we can continue to work with the Fire Department on but it will take some time because you get into easement acquisition, there are design fees, permit fees, construction fees, and we have no idea what this is going to cost yet. He noted that the Engineering Department estimated that it will take about six weeks of man hours for us to do this due diligence in-house; we have other projects going on as well so we have to find a way to shoe horn that in. He added that we are looking at a very large project in-house with all of the surveying work involved with Fisher Meadows this spring so this may be something that we have to sub out to an outside engineering firm and all of that is going to drive costs. Chairman Zacchio questioned if we can back up to having concerned homeowners, we have a Fire Department with a plan, solution that; either the Fire Department can help us understand the plan as adequate or the plan could use a better solution and here are some viable options, then let's talk about how to go. He commented to figure out if there is a solution that is adequate or let's put everyone at ease that there is a good plan in place and what we observed happen to the home up there in the spring was something that no amount of water could have helped. He does not know that answer; the Fire Department members are professionals and do this day in and out. He is looking for direction on the solution first and then we can go down the path of what that looks like and how quickly do we have to act on it. The Town Manager commented that it is back to the subject matter experts being the Fire Department. Chairman Zacchio commented that everything the Town Manager said with all due respect is right, you have to go down those paths, but let's have a solution or determine we do not need a solution like that and this would work or here is the plan and how we are adjusting it. He added that the residents need more of an immediate answer. A member of the audience commented that to drive by that burned down house every day is very frightening.

Mark Reich, 34 Oak Bluff, noted that this proposal was presented as the notion of using that pond to the Town over six months ago; we met with the Fire Department and the Town Manager a couple of months after the fire. He noted that it was pretty disturbing watching that fire; it is

great that you have the tag team with the other towns but every time one tanker would empty out there would be a transition time and the flames would rage so it does not seem that it is an optimal solution and having a continuous flow of water would be far better.

James Genco, 25 Vermillion Drive, commented that we are very grateful for the Volunteer Fire Department and they have been really terrific. He noted that we are trying to give them the tools to fight fires. He disagreed with the Town Manager in that from what he was told, talking to a number of firemen over this period, is that the tanker truck solution is not very optimal for our kind of an area and the reason is that when they are coming up the hill full it takes a lot of power and there is a lot of delay and where it may be an ideal plan on flat terrain it is his understanding that it is quite a complicated factor to have it coming up a mountainside. He added that he was advised with regard to the idea of tapping into the pond that you can relay off hoses between engines up the hill and then along so it is a broader solution. Chairman Zacchio responded that you really do need a solution with a plan that involves both and that solution could actually inhibit the other solution because you wouldn't be able to get trucks around as they would be parked strategically and block off one access way. He noted that he is not a firefighter and does not know the dynamics of what they go through in that kind of situation which is why he asked their help with a solution on how that looks. He added that there is a viable pond there, it freezes; he needs to know if that is a solution, if it is a good solution, if it is the best solution, in what cases it works and does not work, what is the capacity or is that just a risk that we accept. He noted that is the kind of information that we need for us to think about how to move forward. He added that once we get to that point and he asked the Town Manager for that to be front burner in terms of at least getting to an answer; from there the process is the process and we can speed what we can speed, bump what we can bump, but we have a lot of priorities and does not mean that in a negative way but we will have to wrangle with how to make it work.

Bruce Appell, Assistant Chief, Fire Department, commented that he has spoken at length to the homeowners. He noted that from the Fire Department's perspective something that we can do is accessing the water from the pond and in theory is very simple. He added that if we are talking about a dry hydrant system that goes in the ground that is a little bit more engineering and a study has to be done. He commented that initially he talked to the Director of Public Works that if we can get the fire truck closer to that pond by creating a right-of-way and pulling off to the side of the road at that area we have a hard suction that we can draft out of the pond with. Chairman Zacchio questioned if this is the pond on the left going up Oak Bluff. Mr. Appell responded it is on the flat at Oak Bluff just prior to Vermillion Drive. Chairman Zacchio questioned if it is deep enough. Mr. Appell responded that studies are showing that the whole center section of that pond is about six feet deep. He added that there is an aerator running in there all year round and will solve for the ice problem issues. He noted that it is far out into the pond and would be nice if another one could be added closer or air stones. He commented that without putting any pipe in the ground we can draft out of a water source but we have to get the truck closer to the water source to be able to draft out of it. He noted that a pull off or right-of-way would help; it is about twenty-six feet from the edge of the pond to the edge of the road and we carry about thirty feet of hard suction so we if we can get ten to fifteen feet closer to the pond then one truck with a hard suction can lay out, at least get a foaming strainer into the pond, and make an attempt to draw water until we get engineering and a dry hydrant put into there. A member of the audience questioned if the Fire Department can extend the reach of their equipment. Mr. Appell responded that the trucks are already back a certain distance so it is more

at elevation than it is at length; we can add longer lengths but it is going to take a lot longer for us to draft because they have to evacuate all of that air and our trucks are not designed like a sewer vacuum suction truck, it is a pump system. He noted that if we add forty or fifty feet of hose then stretch out into the pond we have to pull that air out and the manufacturers are not going to say that you can do that. Chairman Zacchio commented that we are not going to be able to provide a solution for that here. He questioned if it is too soon to ask, that seems like a quick and dirty way of at least calming the concern from a water perspective - it may not be the best long-term solution but from a short-term solution, that we have a plan or understand the obstacles to doing what Mr. Appell is suggesting in terms of getting closer to the pond, drawing off of it and creating a situation of what we can pull off of. He knows that we are in the middle of budget; he is not asking for a big plan, how do we solution that, are there obstacles, what do we have to overcome, how many feet do you have to pave. He noted that is short-term, but maybe that is the long-term; he does not know. Chairman Zacchio questioned whose land it is. Jamie DiPace, Fire Marshal, responded that depending on the width of the road we could have about ten feet from the curb in with the Town right-of-way. Chairman Zacchio questioned how soon we can have a short-term plan that helps calm the nerves and have a way to draw off of the pond for a water supply. The Town Manager responded you can have that by January. Chairman Zacchio commented that it is as good as a long-term solution if it works; it is a matter of water and if that is what we are trying to solve for that sounds like a good, easy short-term solution.

Brian Harvey, 24 Vermillion Drive, commented that he did talk to the homeowner today about this possibility because he and Mr. Appell had this conversation two days ago and we talked to the Town Manager yesterday. He added that they are amenable to doing that. He noted that it is twenty-seven feet to the edge of the water and at fifteen feet there is a tree line which they do not want to sacrifice but fine up to that point.

Chairman Zacchio commented that if this can be done by January and can have a report around here is what we did, here is what we found out, here is what we can do, and here are the challenges, then we can have something that gets water and solves that issue; maybe that is the long-term solution but it's a start. Council agreed. Mr. Genco appreciated Council's attention to this and thanked them. Chairman Zacchio commented that the Town Manager brought it to our attention and the most recent conversation received from him today was about this potential with the pond and recalls the pond coming up in conversation. He added that he knows the neighbors have been working with the Fire Department, Fire Marshal, and others; sometimes it takes the whole community and if it solves the problem, shorter long term, great. The neighbors thanked Council. Mrs. Maguire thanked the neighbors for all of the work they have done on this.

VI. COMMUNICATION FROM COUNCIL

Mrs. Maguire recognized Mr. Pena for his coordinating efforts on the Christmas Tree Lighting coming up this Sunday, December 4th; it is the second annual event on the Town Green and Mr. Pena has worked hard to pull it together along with Recreation and Parks Department. She thanked Mr. Pena. Mr. Pena commented that it is on Sunday at 6:00 p.m.; we had about 50 people last year. She also reported that attended the input session for the Board of Education budget last week to hear what the public had to say about some of the concerns they have regarding different activities being cut, etc.; there was a good turnout and good comments. A

member of the audience asked if the Town is doing anything for Hanukkah which falls on the same day as Christmas this year. Mrs. Maguire responded that we have the Menorah Lighting on the Town Green.

Mr. Stokesbury recognized the Fire Department as he and a number of other Council members and the Town Manager attended their annual dinner as their guests to celebrate another successful year of fire service in Town and as we heard tonight we cannot do it without them and we thank them for their service.

Chairman Zacchio commented that they just did the wedding of their new truck on the west side of Town; it is a tanker with a lot more power because we had the same issue on the west side of Town.

VII. OLD BUSINESS

16/17-15 FY 17/18 Budget: CIP Budget Presentations

a. 7:00 p.m. Police Department

Chief Mark Rinaldo introduced Lt. Kelly Walsh and Lt. John Schmalberger. Chief Rinaldo reported that their capital project requests for next year are the expansion of the Emergency Operations Center (EOC), renovations to the patrol building, and the Police Department radio system. He noted that the Director of Public Works has done an excellent job with the radio system project item and is broken into three phases: first phase is already funded, the second phase is funded (which is the EOC upgrade) and are almost ready for construction on that which will hopefully begin in the spring, and the third phase is the completion of the patrol building. Chairman Zacchio commented that seems to be moving in the right direction; the Director of Public Works has done a lot of work on it. Chief Rinaldo commented that the plan is to have the storage facility done first so we can empty out the patrol building, finish the EOC and have more room and be able to manage projects better, and then finish the patrol building. He noted that once we are done with these projects this will be a build out for ten to twenty years as we won't have space needs for quite some time.

Chief Rinaldo commented on the Police Department radio system which also has three phases: first phase was the system analysis, second phase is going out for RFP for the actual design of the system, and the third phase is implementing the system. He noted that they have completed the first phase and received the report from L.R. Kimball; it is an excellent report and have identified what we need but need to know what it is going to cost by going out to bid. Chairman Zacchio questioned that this is still the combined channel radio for Police, Fire, and Public Works. Chief Rinaldo responded that it is to consolidate all of the Town wide services into one radio system; currently the Police Department works with the vendor of the Fire Department which is a vendor of Public Works and the Board of Education has a pretty large piece with multiple radios. He noted that we are looking to have one public safety system, P-25, and give us the interop ability if we can connect with the State there is a possibility that we can see some better coverage for us and if there is a regional incident. He noted that we are requesting \$210,000 to cover the cost of the immediate repairs however the current vendor does not think that it will come to that much and will work with the Town Manager on this before it is finalized. He added that these funds will cover us should we have a system failure, we have to do some

upgrades, i.e. repair the Huckleberry Hill facility with a generator and air conditioner unit which Public Works is on top of that. He added that we should have new figures within the next thirty days. He reported that he wants to start the second phase early next year and once we get the costs of this back from the vendors, he has heard \$2 to \$5 million but he thinks that is going to change dramatically, especially if we can get some grant funding that the vendor is going to help us with and identify what we need these companies will be able to give us a better price so there should be some cost savings and thinks it might be closer to \$1 million.

Chief Rinaldo also commented on regional developments and Bloomfield and Windsor are talking about putting together a multi-town dispatch center again and the Chief of Bloomfield sent him and the Town Manager some information. He noted that we studied this three or four times and has been on the table since 1998. He added that we will sit at the table and participate. He noted that by speaking with our consultant they explained that we probably won't see any cost savings because we are going to have to upgrade our antennas anyway and if the other towns upgrade their antennas are we going to share that cost. He commented that the regional initiative might be five years out and would not like to stall this project; we have some immediate radio needs and have to improve our system and to get into the regional project while we can participate maybe we can join it later.

Mr. Stokesbury thanked Chief Rinaldo for his presentation. He commented that one of the Police Department's big capital needs every year is vehicles and questioned what is in the proposal for next year. Chief Rinaldo responded that our vehicles come out of our operating budget and he put in for six vehicles and have not yet had a discussion on that. Mr. Stokesbury questioned the experience with the new interceptors. Lt. Walsh responded that we have not received any negative feedback. Chief Rinaldo commented that they are all-wheel drive which is what we need. Lt. Walsh noted that the first round that came out had blind spot issues, the lights, but the newer models rectified that. She added that Officer O'Neill works very closely with Public Works on our vehicles and tries to tweak anything when we are outfitting new cars. Mr. Stokesbury commented that we had heard a lot about losing the Crown Victoria and appreciated the update.

Mr. Pena recalled from a year or two ago when we talked about the radio system and the federal government having some input on it as well with some requirements. Chief Rinaldo responded that still is ongoing and has not been implemented yet though it is statewide. Lt. Walsh commented that it is a phased system through the State and we are not at the text part yet. She noted that the systems would get jammed and have not implemented that next phase and Sgt. Gannon has a meeting in January to talk about the next phase. Mr. Pena recalled that there might be some federal dollars involved as well. Chief Rinaldo responded that there are federal programs out for the radio system, the NG-911 is different from the radio system so it is not a dispatch function and if someone texts a complaint we can take it that way. He added that this would be funded by the State and you pay a 9-1-1 surcharge on your phone bill and that is what funds that. He noted that as far as the grants there is a firefighter's grant that we are going to look at and will help us with the interop ability and per our consultant there is another federal grant from the Department of Justice that we can seek. He noted that everything is moving forward at a good rate and hopefully for next fiscal year we will be able to give you a cost estimate to re-do the entire radio system. Council thanked the Department for their presentation.

b. 7:30 p.m. Fire Department – a power point presentation is attached and made part of these minutes

Chairman Zacchio thanked Assistant Chief Bruce Appell for working with the neighborhood on the pond idea as it is a good short-term solution.

Assistant Chief Bruce Appell noted that the Chief and President could not attend this evening and Board of Directors Vice President Michael Galliher will be presenting along with himself. Mr. Galliher thanked Council for having them here tonight. He highlighted the Department's capital budget requests for FY 17/18.

Mr. Galliher reported on the Fire Apparatus Replacement request. He noted that we have to look forward to having apparatus that are up-to-date and up to code. He added that the availability of replacement parts has been one of the biggest obstacles with keeping our vehicles on the road; the age of our vehicles has worked against us in being able to get the needed parts. Chairman Zacchio questioned if the parts' issues are around the truck chassis or apparatus itself in terms of valves, pumps, etc. Mr. Appell responded that it is usually the chassis. Mr. Galliher highlighted the request for \$550,000 to get them back on track and in time with our apparatus replacement schedule and avoid any bumps over the next few years and have a smooth stream of funding. Chairman Zacchio questioned that is a reserve against a new truck which is the next to be replaced. Mr. Appell responded that is coming up in their presentation.

Mr. Galliher reported on the Proposed Fire Station & Existing Fire Station Assessment request in the amount of \$25,000 to facility the study for the Northwest Fire Station proposal. He noted the limitations of the current Company #2.

Mr. Galliher reported on the Fire Station Improvements request in the amount of \$100,000 and highlighted the issues at the current fire stations. Chairman Zacchio commented on how we talked about window and boiler replacement at Company #1 in the Public Works capital budget presentation. The Town Manager responded yes, there is overlap; most of these projects are included in the Public Works. He added that in terms of the Company #2 proposal, Council at the last meeting appointed a sub-committee to do some work around that and its first meeting is scheduled for December 14th. Mr. Stokesbury questioned if we have money in place for the water intrusion at Company #4. The Town Manager responded yes.

Mr. Galliher reported on the Fire Service Equipment request in the amount of \$100,000. He noted that all of our cylinders are going to expire and will not be allowed to use them anymore between 2019 and 2022. He added that we started with a little bit of funding last year to help with the need and hope to continue on that path. Chairman Zacchio commented that this item caught us seven years ago with a pretty big balloon payment to catch those and knew that 1919-1920 was dwelling out there so we started that seed last year and suspect that we will continue to get that money in there as the last year will be fairly a big payment anyway but at least we will have a head start.

Assistant Chief Appell commented that the largest chunk of dollars goes toward their fire apparatus. He highlighted the Fire Apparatus Replacement Schedule. He noted that we just retired the oldest engine, Engine 11, which was a 1984 with a new engine and will retire Engine

7 once the second new engine comes in. He commented that along with the primary apparatus we have a lot of support trucks. He noted that Truck 6 is now offline at the Highway garage and hoping to replace it in the current capital budget but without the funding from this fiscal year we were not able to get that done. He added that Truck 6 was a prior service vehicle as an ambulance for New Britain before we got it. He reported that Truck 16 was a converted truck in our use as a light rescue in the Town prior to it being turned over to our Fire Police using it. He noted that the need with the request for \$550,000 is to replace their support trucks. He noted that Fire Police do scene patrol, traffic, rehab, work at the polling locations, do stuff for the farmer's market at the Library so they are very busy and the trucks get a lot of use. Ken Sedlak, Avon Volunteer Fire Department member, noted that the cost to repair Truck 16 is more than it is worth. Mr. Appell commented that for Truck 6 they are looking to find a demo that is on the lot available and one was sold but the vendor is willing to hold no price increase for 2017 if we can put in an order relatively soon. He added that for Truck 16 they want to repurpose their brush truck using the cab from 2002; the brush truck we currently use mainly serves for brush fires. He noted that they are proposing to convert it for Fire Police and replacing the brush truck with a mini pumper and give us usability twelve month out of the year, four-wheel drive, holds 400 gallons of water, 15 gallon per minute pump, air packs, seating for four, and run it all of the time; takes a little less wear and tear off the big trucks; the cost is approximately \$225,000. Mr. Appell commented that they have been looking at an all-terrain vehicle. He noted that they currently have two boats in Town. He commented that the all-terrain vehicle being requested is for land and water to handle all needs, including tracks for the winter. Mr. Pena questioned the cost for this vehicle. Mr. Appell responded that the base unit is approximately \$27,000 and then add on the track and accessories it is closer to \$35,000. He commented that the next engine to replace is Engine 9 and are proposing an engine tanker which would go down to Company #1 and would hold 2,500 gallons of water, bigger chassis, and the estimated cost is \$800,000. He noted that it enhances the water supply system for everybody. He commented that the whole fleet has been a cross fleet between engine-rescues which we are buying now. He noted that they are looking to replace Rescue 8 with a light-duty rescue, probably smaller than existing rescue, and has a 500 gallon pump per minute, crew cab seating for 6, and rescue body in the back. He noted that if they are doing a rescue and come across a car fire they can simply extinguish it or it has a crew area for rehab in the back with console for command center. Mrs. Maguire questioned the cost for Rescue 8. Mr. Appell responded that he does not have the current cost for it. He noted that the priority is Truck 6 and the replacement cost is \$118,000. He added that to re-purpose the brush truck chassis and get a utility body for the back of it would cost approximately \$60,000 and then both Fire Police trucks would be updated.

Chairman Zacchio commented that assuming we are able to fund a number this year, he questioned if that is a down-payment on a two year. Mr. Appell responded that you had been doing \$400,000 per year and with that they can get all of the support trucks done. He noted that anything over that would go into the next rescue. Chairman Zacchio commented that in the last few years we have experienced some freedom in the capital budget because we cut some debt service capacity that we were able to shift, but we have a blip this year where we have a little less capital to move around than we have in past years but in the next few years we begin that slope again to pick up a lot of capacity in capital. He noted that the number this year while it may not approach the \$550,000 mark we are trying to figure out where the sweet spot is that you can get some things done knowing that we have some capacity in out years that isn't going to be an item that just sits. Mr. Appell responded that is tough because a lot of the stuff that he is

looking is sitting on the lot but they are giving him cash numbers. Chairman Zacchio commented that you might work closely with the Town Manager in and around the minimum need and what can be done and what we can afford because there is less capacity this year than in the past few and we will experience more capacity in future years. Mr. Stokesbury commented that we know in the out years that we have the breathing apparatus and know it has to be done and are working around that in the next four years. Chairman Zacchio commented that we want to keep the apparatus piece moving in a decent direction but we have a tight CIP this year and want to make something work and why we are pushing on the priorities. Mr. Stokesbury commented on the tanker proposal and its useful life/retirement issue and his expectation that the tanker would not be rolling out all the time on every call and questioned what that does for its useful life and the 15-year issue as it is a big expense. Mr. Appell responded that one of the concerns is rolling it to every call and would be going out to motor vehicle accidents; replacing Rescue 8 as is we are looking at \$500,000-\$600,000 and hoping to replace it at half the cost. He noted that the one thing with these new engines, for example Engines 14 and 10 which are already coming up as they were built in 2001, if you go with a better body all we would have to do is take the body and the pump right off the truck and slide it right onto a new chassis, called a gladiator program so you save \$200,000-\$300,000 on the cost; brand new titled truck with a new chassis. He noted that you cannot do that with the existing Tanker. Chairman Zacchio questioned that our new bodies are stainless steel and aluminum. Mr. Appell responded yes. Chairman Zacchio questioned the rust problems. Mr. Appell responded that it is a corrosion issue with road chemicals and resulting in maintenance issues and the safety features, for example, the current rescue body has just lap belts. He noted that manufacturers only carry parts on these big trucks for ten years.

Assistant Chief Appell commented on the radio system and that they are working closely with the Police Department. He noted that Assistant Chief Kline has been instrumental with the IT part of it and we do support those ongoing efforts and will continue to work together with all parties on that project. Council thanked the Fire Department for their presentation.

16/17-28 Appointment: CRCOG Policy Board – Alternate (R – 12/31/2017)

Chairman Zacchio asked the Town Manager if there is any movement on this appointment. The Town Manager responded that Dick Hines has resigned from the Policy Board after many, many years of service. He added that he goes to the meetings now. He noted that Chairman Zacchio is the primary member and there are two alternates of which the Town Manger is one. He added that we have never had a staff member filling the second alternate position but if the Council were amendable to it he would suggest Hiram Peck, Town Planner. He added that he will attend most of the meetings but in the off chance that he cannot Mr. Peck would be an excellent choice.

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

RESOLVED: That the Town Council appoint Hiram Peck as an alternate member to the CRCOG Policy Board to fill a vacancy with a term to expire on December 31, 2017.

Mrs. Maguire, Messrs: Zacchio, Pena, and Stokesbury voted in favor.

16/17-29 Appointment: Committee on Aging (R-12/31/2017)

Chairman Zacchio commented that we have not heard that we have anybody for this spot for

some time. He asked Mr. Pena to see if he could find a candidate that would like to fill the position. He noted that the recommendation made was for Marie Evans who he has known for many years and would be a good fit for the Committee. Mr. Pena commented that he does not know her party affiliation but is willing to serve.

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

RESOLVED: That the Town Council appoint Marie Evans as a member to the Committee on Aging to fill a vacancy with a term to expire on December 31, 2017.

Mrs. Maguire, Messrs: Zacchio, Pena, and Stokesbury voted in favor.

16/17-30 Appointment: Zoning Board of Appeals – Alternate (R-12/31/2019)

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

RESOLVED: That the Town Council appoint Dr. Frank Lopus as an alternate member to the Zoning Board of Appeals to fill a vacancy with a term to expire on December 31, 2019.

Mrs. Maguire, Messrs: Zacchio, Pena, and Stokesbury voted in favor.

VIII. NEW BUSINESS

16/17-31 Review, Discussion and Approval: Year End Transfers and Appropriations

Peggy Colligan, Director of Finance, was present to highlight the Year End Transfers and Appropriations. The Town Manager noted that we again, primarily because of Ms. Colligan's good work and that of the team, we have received the GFOA Distinguished Budget Presentation Award. Chairman Zacchio complimented a great job. Ms. Colligan responded that you have a good group that works on it.

The Town Manager noted that we had a successful FY 16 and that overall our financial position and condition improved as a result of FY 16 operations, our collection rate was a few basis points higher than last year which still leaves us #2 in the state, our budgeted revenues exceeded the budgeted expenditures and as a result we do have some end-of-year management recommendations that require Council and Board of Finance approval in terms of putting assignments on fund balance for items including pension and compensated absences; the revenue variance is not as high as it has been in past years and part of that is a function of reduced intergovernmental grants and slightly reduced activity on conveyance and building and permit fees; however we also have to keep in mind that over the few years particularly during the budget workshop process he made recommendations to increase revenue estimates so that reduces the amount you will likely have at the conclusion of the fiscal year to work with. He reported another positive development; it is a far cry from where things were in the 2000s when we were earning \$900,000 per year on our investments, but for the first time since 2007 we are in positive territory and that is a move in the right direction. He noted a slight increase to Unassigned Fund Balance as the result of all of this.

Ms. Colligan gave a general overview of the financials of the Town for FY 15/16. She noted that our collections are doing well and believes we are still second in the state after Torrington but they use a consultant so kudos to the Collector of Revenue's office as they do a great job. She added that one of our primary goals is also to improve upon our financial picture, have positive

operating results, hopefully to replenish some of our assignments in our reserves, and to return funds to our Unassigned General Fund Fund Balance and we were able to do all of that for FY 15/16 and not to the degree in prior years but still puts us in a good position going forward.

Ms. Colligan reported that the five revenue categories all came in exceeding their budget appropriations with the exceptions of Charges for Services, an area that is primary fees for Recreation, Landfill, and some Board of Education; it is the only area that experienced a shortfall but we still came in with a positive \$500,000 on the budgetary basis for the General Fund. Mr. Stokesbury asked Ms. Colligan to direct Council to the page she is at. Ms. Colligan responded that is a question she has for Council this evening; we tend to focus on the expenditures in the booklet because it is all about Charter and budgetary compliance. She noted that on the revenue side budgetary and GAP is the game so we do not have this differential; she does not have revenue reports in there but if it is something you would like to see in the future she could include it. Council responded that at an eye level would be good. Ms. Colligan commented that every month we give you a monthly report so she will provide something like that categorized with some narrative. Chairman Zacchio responded that seeing the big picture across the fiscal year would be nice. Ms. Colligan made a note for next year. The Town Manager commented that when the Comprehensive Annual Financial Report (CAFR) comes out we will direct you to the pages where you can see the budget to actual revenues year over year and that is very detailed. Ms. Colligan commented that she will start with all funds and can always make changes. She reported that for Use of Unassigned General Fund Balance we only had two transactions during the year which is minimal in terms of the dollar amount and number of transactions; one was very small for \$9,000 for emergency management grant and the second was \$350,000 for Old Wheeler Lane Bridge which has been completed, we have seen the revenue flow coming in and in FY 16/17 we anticipate 100% reimbursement and will go back to the General Fund. She reported that we did use some assignments that we have put in place over the years and some you approved during the budget process; we did pension, post-employment benefits, capital purchases through the year for small items within Public Works and Recreation and Parks and we hit our 27th payroll in FY 15/16. She recalled that every year we have been trying to put in \$25,000 to \$50,000; that payroll had a gross of \$400,000 of which we had put aside \$250,000 so between that and the interdepartmental transfers we were able to cover it without use of General Fund Fund Balance. She noted that the next 27th payroll will not happen again to FY 21/22 and we are not asking for any money to apply to that as we close the year but at some point she will address it.

Ms. Colligan reported a positive variance on the expenditure side with the Town and Board of Education which totaled approximately \$170,000 in the General Fund, a return of appropriation and is not after any reserve for encumbrances that are also in your packet and being requested tonight. She noted that overall we are seeing, on a budgetary basis, more in the range of \$650,000 variance on a GAP basis and ends up being closer to \$400,000 improvement to the General Fund.

Ms. Colligan highlighted the list of transfers within the General Fund; in terms of volume that is an acceptable range of \$272,000. Mr. Stokesbury questioned the categories and if the line items are typical. Ms. Colligan responded yes. She noted that an atypical one was municipal insurance because of new carriers and saw a reduction in premiums so that expenditure appropriation was available to transfer out to cover some other departments. She added that

when we have had a good year of weather conditions there was available funds in Public Works which we don't always see. The Town Manager noted that Police is a little bit lower this year. Ms. Colligan commented on the staffing issues and changes in Police. She noted that last year in FY 14/15 we had an appropriation from the General Fund of about \$96,000 over and above the transfers to cover it and that wasn't necessary in FY 15/16. She noted that all major encumbrances for the Town and Board of Education all have purchase orders and commitments; on the Board of Education side they had two which is new that they are doing this year, they put on a reserve for pension as the Town does to fund their FY 16/17 pension obligation and put on a reserve for a potential litigation having to do with a bus contract. Mr. Stokesbury questioned that being reserves what happens at the end of this fiscal year if those reserves have not been expended for the stated purpose. Ms. Colligan responded that the auditors require that we have a written explanation in the General Fund only because it is a lapsing fund and in the others it is a non-issue for capital projects. She noted that Special Revenue Fund or General Fund you would have a reason as to why it was not spent and it could be rolled over, if it is not rolled over and it is not paid out and there is a balance left it falls back to General Fund Fund Balance and we do have some in FY 15/16 that have lapsed. Mr. Stokesbury commented that the Board of Education had a reserve for bus contract litigation and if that was not spent he asked if the Board of Education could reallocate to another expenditure or is it tied to that particular use and if not used does it lapse back to General Fund. Ms. Colligan responded that the way we have handled it in the past is if the intent is the same but the vendor changed that would be appropriate but if the intent has changed it would fall back to Fund Balance and could be requested or in the past we have also run them by the Town Manager for approval to be re-appropriated. The Town Manager commented that when that has come up he has always been very strict.

Ms. Colligan reported on Supplemental Appropriations – General Fund of which there are none. Mr. Stokesbury questioned how atypical that is. Ms. Colligan responded that might be one of your goals; if you had to cover an expenditure in General Fund hopefully you would do it from an excess revenue and not have to go to Fund Balance. Chairman Zacchio noted that is one of the spots that auditors look at and comes under our Use Policy and an easy place to ask for funds to come out of because you have a shortfall on a budget or a gap that you have to fill but traditionally we don't pull from that account for those very reasons – we are audited, there is a policy around it and we are very disciplined around the use of those funds and the work that we do within our budgets to cover shortfalls. Mr. Stokesbury commented that it is a good thing. He noted that perhaps a lookback on this tab or others would be good to see. Ms. Colligan responded that she will include dollar amounts.

Ms. Colligan reported on Supplemental Appropriations – Other Funds and there are four of them and are a wash; revenues came into these funds and there are a variety of reasons why we are appropriating them. She reported that the first appropriation that the auditors are requesting that we make for our first refunding Avon did in March 2016 and we had an appropriation for about \$110,000 for the actual cash proceeds that came in to cover the expenditures but the auditors needed us to report it in gross which included the underwriting costs which we did not pay out of pocket; they were netted out of the proceeds and we have to record at gross the revenues and the expenditures so there is no impact to Fund Balance. She reported on the second appropriation for Old Wheeler Lane Bridge Design (Fund 3) and was the first phase of the bridge; this has been a repetitive resolution as when the funds come in as a reimbursement we put it back into the project to keep the project going so it does not require Town funding. Mr. Stokesbury

questioned if the Old Wheeler Lane Bridge fund account is now closed out. Ms. Colligan responded not officially; perhaps in FY 16/17. The Town Manager commented that the project is done, the punch list is completed, but there are probably some lagging bills. Ms. Colligan commented that we have not received all of our reimbursements yet either. Ms. Colligan reported on the next resolution for Fund 7-Police Special Services for the road construction projects; the budgeted amount for this is quite small compared to the activity that we may see as it is unpredictable and is a balancing entry, the revenues that come in to match the expenditures. She reported on the last resolution for Fund 8-Town Aid Road Fund and usually do this one every year as we don't always know what the State will be giving us at the time we go to budget but once we do know we allow Public Works to use it for the road projects, the grants come in twice a year.

Ms. Colligan reported on Transfers and Fund Balance Assignments which are recommendations to management and also transfers that we might need for past commitments and items that we do not budget for in the sense of our debt service account for compensated absences and something we need to do to balance the budget or in anticipation of a future draw down in another year. She noted that there are five of them this year: an assignment for pension, compensated absences to fund future severance drawdowns that we either know of between now and the end of this fiscal year or possible ones for next fiscal year. The Town Manager reported that for the Old Farms Road Relocation Feasibility Study transfer we indicated to the Board of Finance that it was required those funds go back to a General Fund to reimburse it. Ms. Colligan commented that the last transfer is new for this year and is a movement of cash; we have pooled cash here for the Town but we balance on a fund basis. She noted that the Cafeteria Fund is in a deficit position after depleting its fund balance so we need to cover it on a temporary basis and this is a manner in which to do it. She added that it is not coming from the General Fund Unassigned Fund Balance because this \$153,000 was a check that was already drawn in a prior year in anticipation of putting it in the Cafeteria Fund when the Cafeteria Fund request was presented by the Board of Education to open up their own account which has not taken place so it was still under the umbrella of the Town cash; we are taking this check, moving it in to cover the fund deficit, it sits in the Cafeteria Fund where it should, if by some chance the Board of Education still wants to pull those funds out and establish their own account it is there for that purpose but we needed it to cover expenses. Mr. Stokesbury commented that if it is being used to cover expenditures then why does it still exist? Ms. Colligan responded that it could be a revenue shortfall; it is an operations deficit. She commented that they needed \$85,000; the check was already cut for \$153,000 for the Cafeteria Fund and was being held and you cannot partially void a check or cash part of it; it has been expensed in a prior year and there isn't a vehicle to re-expense it, void it, run it through expenditures and reissue it for that amount. The Town Manager commented that they had a check outstanding that they had not cashed and the purpose of the check was to seed an independent bank account for cafeteria operations, not part of our financial statements, so we came to the end of the fiscal year and the Cafeteria Fund Special Revenue Fund was in a negative position to about \$85,000 and one of the options is to do a drawdown from Unassigned Fund Balance to cover it which did not seem appropriate so recognizing that they had this uncashed check outstanding for the same purpose his recommendation is that we take the check, cash it, bring it into the Special Revenue Fund for cafeteria operations and that is an appropriate place for it. He noted that if at some point they still want to seed a separate account for cafeteria then we can have that conversation but at least the check is cashed, cleared and sitting in a Special Revenue Fund. Mr. Stokesbury questioned

how the \$85,000 deficit gets paid. The Town Manager responded with the check. Ms. Colligan commented that right now they are in a positive position after this revenue. Mr. Stokesbury commented that we have overdrawn this Cafeteria Fund by \$85,000. Chairman Zacchio commented that the seed check for \$153,000 will pay the \$85,000 and leave a remaining balance. Mr. Stokesbury questioned the source of the \$153,000. Ms. Colligan responded that it was a check drawn by the Board of Education in their General Fund budget in FY 14/15 and it was expensed then and the purpose was to open a separate checking account for the Cafeteria Fund. She noted that they are allowed to do this and have a lot of autonomy with setting up a food services fund. Mr. Stokesbury commented that in that fiscal year there were changes in the food service plan as well.

Ms. Colligan reported on Fund Balance – Unassigned, Assigned, and Committed and noted that there is no action to take place in this area; there is no use of Fund Balance from another fund or requests.

Ms. Colligan commented on the Sewer Fund (Fund 5) which has positive operating results and been leaning on that recently as they have quite a few capital projects in the queue so we have been spending some time doing some long term modeling with Engineering as to what their demands will be in the next three to five years. She also commented on the Medical Claims Internal Service Fund because we are self-insured for our healthcare costs is also in good shape, retained earnings at more than \$2 million and looking at a 24% level which we would equate to when we talk about Fund Balance as a percentage of expenditures. The Town Manager commented that we have been working at that number with Steve May, Healthcare Consultant, over a number of years and a very strong position. Ms. Colligan commented that there were no rescissions in the booklet this year. She noted that for the last few years we have been trying to clean up some authorized but unissued items but everything is clean.

The Town Manager commented that this year it is one of the most streamlined processes he remembers. He recalled that we have a new partner in charge of the audit as we recently went through an RFP and while the same firm was retained we changed staff members; the Board of Education has been a great partner and all rolls up so you can approve these transactions, can complete the financials and once the Council and Board of Finance approve these year-end transactions he knows what he has to work with in terms of the assignments for FY 18 budget planning process.

On a motion made by Mr. Zacchio, seconded by Mr. Stokesbury, it was voted:

RESOLVED: That the Town Council hereby recommends that the Board of Finance approve the Fiscal Year End Transactions: Transfers and Encumbrances, Supplemental Appropriations, and Assignments, Appropriations from Fund Balance, as outlined in the booklet Final Fiscal Year Transactions FY 2015-2016, and as described in the memoranda from the Director of Finance to the Town Manager.

Mrs. Maguire, Messrs: Zacchio, Pena, and Stokesbury voted in favor.

Council thanked Ms. Colligan and the whole team for a great job.

16/17-32 Bright Ideas Grant Agreement

The Town Manager reported that because of meeting schedules we were not able to talk to the Avon Clean Energy Commission (ACEC) about this but he did talk to Bernie Zahren, ACEC Chairman suggested that we talk to Dick Kretz, ACEC member, who agreed with this grant request. He noted that this is for a \$10,000 project and was coordinated with the Director of Public Works and BOE Director of Operations to do some LED lighting at the High School. He recalled that a few years ago we used this same grant to do the HVAC unit in Building #1. Chairman Zacchio thanked the Assistant to the Town Manager for the great work on this.

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

RESOLVED: That the Town Council authorize the Town Manager to execute an agreement for a Bright Ideas Grant with Eversource for the purpose of completing an LED re-lamping project at the Avon High School.

Mrs. Maguire, Messrs: Zacchio, Pena, and Stokesbury voted in favor.

16/17-33 CT Green Bank Grant Agreement

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

RESOLVED: That the Town Council authorize the Town Manager to execute an agreement with the Connecticut Green Bank for a grant in the amount of \$18,000 to be used to complete the re-lamping of Town Hall buildings.

Mrs. Maguire, Messrs: Zacchio, Pena, and Stokesbury voted in favor.

16/17-34 Review, Discussion, Set Public Hearing: Chapter 9 Article 2 Section 23 (b) Building Permit Fees and Chapter 45 Article 2 Section 23 Land Use Application Fees and review and possibly approve a proposed revision to the Building Permit Fee Schedule

Hiram Peck, Director of Planning and Community Development, reported that a fee comparison chart with other communities was put together by staff. He noted that we looked at our current fees that have not been updated in a while and compared them. He commented that typically what happens is that the process requires, for example, public hearings for special permits and exceptions so there are additional fees with regards to public hearing notices, legal ads, etc. and those are the main increases most of which are relatively small. He added that applications come in that require review and sometimes require a second hearing by the Planning and Zoning Commission. He noted that one that raised this question had to do with the potential for increasing the fee for work that is done without a permit. He commented that we have had only a few of these. He gave an example where somebody had work that had been done for seven years with no permits and they knew it and it happened to be in a flood plain and the flood plain issue was significant; the person did the work, had it in place for seven years and no one took action to get it corrected; he inherited the situation and decided, since if FEMA had become aware of that it would not bode well for the Town in terms of our status in the flood plain program, to send the party a letter asking them to take the improvements out which happened to be an entire bottom floor of a basement they had spent a significant amount of money doing; lots of back and forth with Engineering, the Planning and Zoning staff, DEEP, and FEMA. He noted that Jim Sansone, Building Official, was involved and did a great job. He added that the party stated that the improvements were done when they bought the house. He noted that wiring and sheetrock is stamp dated which is looked at during inspections and none of those dates matched

the story. He commented that there was approximately \$15,000 to \$20,000 worth of improvements to this house that had to be taken out; they did do that finally, DEEP and FEMA are also aware of that. He noted that is an example that requires a significant amount of effort; it does not happen very often but when it does it is really good to have a tool that says to the next person not to do this. He commented that the recommendation is to triple that fee. He noted that the Building Official has discretion about whether to impose that fee or not. He commented that if somebody installs a light switch and forget to get an electrical permit and the Building Official makes the determination that it is a small thing and can overlook it. He and the Town Manager discussed how specific to be on when we impose this or not. Mr. Peck's recommendation is to give us some latitude and use it in a discretionary way and why doing it this way is probably the best way to do it. He noted that we are probably talking about a few thousand dollars per year in increased fees. He added that we are trying to handle more things administratively instead of bringing them all to the Commission and so far that has worked very well. He noted that we are trying to maintain that rapport with some developers in the business community to make sure that things go through the process quickly.

Chairman Zacchio questioned that we are double the permit now. Mr. Peck responded yes. Chairman Zacchio questioned how does that deter people? Mr. Peck responded that word gets around very quickly. Chairman Zacchio commented with a scenario of a big fifty-year old house that someone retiring is living in and their basement was finished in the 1960s and have no idea and go to sell it and get hit with this charge and we have a lot of people getting ready to move on in probably a lot of those situations; it feels punitive and he does not want it to be, it makes sense to him but how do we think about that. Mr. Peck responded that he talked to the Building Official about that specifically and if it wasn't the present owner that did it they are going to probably get a free pass; if there were somehow aware of it or associated with it then they are going to have explain how it happened. He noted that it is the Building Official's discretion as to say that if it was done an owner or two ago he will not impose that fee.

Mrs. Maguire commented that this really sounds like it should be a penalty and not a fee. She noted that the idea is deter, you did something wrong, slap on the hand, so the language is more like a penalty. Mr. Peck responded that to interpret it that way is correct. Chairman Zacchio commented the variability is the cost of the initial permit so the bigger it is the more the permit will cost and the higher the fine. Mr. Peck commented that typically these things are going to be interior modifications, remodels something without a permit and whether that is significant or not will be the Building Official's discretion and if a person did it on a weekend and didn't know the Building Official will be reasonable about that as well and is Mr. Peck's own impression as he works with him closely. He added that it is only when it becomes serious.

The Town Manager reported that the Council by resolution can amend the Building permit fee schedule; however the section requiring the increase from two times to three times requires a change in the ordinance which requires a public hearing and then the change in the fee schedule for land use permits and fees is also set by ordinance. He suggested that if Council is comfortable going ahead with the three times on the building permit fee we would put out a public hearing notice for that along with the public hearing notice for the proposed change in the land use fees and then hold the building permit fees until action is taken on the other two pieces and have all of them go into effect at the same time. Chairman Zacchio commented that if you think it is a useful tool he is for it but not sure that going from double to triple makes a

difference. Mr. Pena commented that he is not sure that it makes a difference and not sure they are going to get the word out that you do have an increase of fee and deter them from doing that. Mr. Peck responded that the public hearing could go forward and you could still decide to keep it the way that it is. He noted that it will give people, whether they are developers or other people who were affected or could possibly be affected by this a chance to come out and talk to you about it. He added that the ability to communicate with the public is certainly helped by talking with the newspapers and getting the word out. He agreed that it should all go into effect at the same time. Mr. Pena commented that many times this situation comes up when they are selling the house and the realtor asked if a permit was pulled for work. He questioned if we are informing the realtors. Mr. Stokesbury responded that comes about on an affidavit as part of the legal transaction. Mr. Peck commented that usually they come into his department's office stating that they have a closing tomorrow and they want a certificate of compliance. He noted that typically it is not a problem and the number of time that this is going to come up is not going to be huge but something to consider and to talk about.

Mr. Stokesbury commented on corrective action under Sec. 9-23 (b) and asked over the last five years how many instances have been invoked and how many dollars have we generated by it. Mr. Peck responded that he can only speak for the last year and a half and have only had the one that he has mentioned so far. Mr. Stokesbury commented that we are having a discussion about a tool that is used extremely infrequently and it may be honored in the breach by Town staff using their ability to waive it. He noted that with that history, having a big hammer that is not often wielded makes some sense but why are we changing it if we are never using it. He added that he does not necessarily want to be the outlier town on that issue unless we have a repetitive problem that we are really trying to hammer home across a broad spectrum of property issues and it does not sound like we have that. Mr. Peck commented that as we get more and more into the development of the Avon Village Center which is a huge project the potential for this coming up more and more often as we get the developer's attention and try to get them on the right track and keep them there.

Mr. Stokesbury commented that in his experience as he does transactional work all week long he is getting certificates of zoning compliance all the time from 169 different towns, 169 different prices but he stated that \$25 is low and doubts it reflects the actual time and energy spent by staff to generate it so he would not be adverse to increasing that; of course many towns won't issue them as there are different qualities of certificates. He noted that he does not want to charge someone that does not have value but if we are filling the unique need of a taxpayer as to their property then it is reasonable to charge a fair fee to compensate for the time. He added that it is not necessary but he would consider looking at that number; you could double that number to \$50; it would be an outlier and at the same time collect a fair amount of money. Mr. Peck commented that it is a valuable service to the residents. Mr. Stokesbury commented that as lender's counsel he looks for that all of the time; the bank needs to know to the extent the town will tell us if there are any issues. Mr. Peck responded that is correct; some towns issue them and do not charge anything and other towns say they do not do it. Mr. Stokesbury commented that you could develop it further to have different certificates for a different amount of work and something to consider.

Mr. Stokesbury commented in the newspaper today he read that Trader Joe's is looking at a huge warehouse on Blue Hills at the Windsor line and they are looking for a tax deal and building

permit fees to be waived. He asked for Mr. Peck's philosophy on big developments coming in and asking for permits to be waived, compromised, and how do we go about that. Mr. Peck responded that it is a subject that is usually looked at carefully to determine whether the project would have happened regardless of whether they are going to come to town anyway. He noted that in another town that he used to work for he wrote a tax abatement program based on the general statutes and the allowances that they have; there were a lot of debates between the Economic Development Commission and the administration as to whether that was a valuable program or not, he does not know what happened to it, but it can be used effectively and it is a project that the town is very desirous of but would not necessarily vote that here for any other reason. He does not think that is the case for Avon; there are probably a lot of people that want to come here because of the right reasons and you always get into the discussion of whether you are a race to the bottom. He noted that it is a fairly complex topic. Mr. Stokesbury commented that the proposal on the table is just a fixed schedule for building permit fees and does not increase as the project gets more complex or decrease as the project gets larger. Mr. Peck responded that is correct and for complex projects we have the ability in our regulations to hire peer review consultants and is paid for by the developers. Mr. Stokesbury questioned if we have a product in place that is not discouraging development and how with these complex projects the expenditure for peer review and outside engineering meshes with what can be huge permit fees. Mr. Peck responded that what he thinks happens in a lot of towns is that the process eats a lot of these projects alive especially at the front end, spending easily six figures putting something complex together and then the Commission says they really don't like that. He reported that he encourages people to come in for informal discussion with the Commission before they get into serious design where they spend a lot of money and developers really appreciate that; it is a valuable thing for the Commission to hear as well as for the developer to hear that feedback from the Commission. He added that we try and do a lot of the smaller things administratively and save people time, effort, and money, especially on the smaller projects; the process will eat these projects alive and discourage people significantly.

The Town Manager noted that staff has always had the discretion administratively, especially through the Assessor's Office, to apply the regulations in a logical and thoughtful manner where you have tremendous impact on the cost to the developer depending on when you pick up at what cycle improvements are made. He noted that he wrote the first iteration of the program that Mr. Peck is talking about and was always a major bone of contention; 50/40/30 tax abatement over three years and the question always was, does it make any difference or is it just a write-off? Council thanked Mr. Peck for his presentation.

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

RESOLVED: That the Town Council set a public hearing to be held at their January 5, 2017 meeting to consider and permit all interested persons to speak on a proposal to amend Chapter 9 Article 2 Section 23(b) Building Permit Fees and Chapter 45 Article 2 Section 23 Land Use Application Fees and amend the Building Permit Fee Schedule.

Mrs. Maguire, Messrs: Zacchio, Pena, and Stokesbury voted in favor.

16/17-35 Request for Proposals-Legal Services

The Town Manager reported that CT Water is going to be applying to PURA to receive permission to acquire the Avon Water Company. He noted that CT Water is a client of Murtha

Cullina and we know that the Town is going to have to have some legal documentation with CT Water because CT Water is going to stand in the shoes of Avon Water Company with respect to the agreement we have for the existing well and potential future well sites at Fisher Meadows. He added that CT Water has proposed that Murtha Cullina continue to represent them in the proceedings before all of the regulatory commissions; CT Water would hire separate counsel to represent it in any negotiations with the Town and without making a change Murtha Cullina would represent the Town in those negotiations. He reported that in order for that to happen the Town would have to consent to it. He talked to our Town Attorney about it and is not comfortable with it; it is the Council's decision as you appoint the Town Attorney and Assistant Town Attorney but his recommendation is that Council not consent to that and we issue an RFP for an Assistant Town Attorney to represent the Town in these negotiations with CT Water.

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

RESOLVED: That the Town Council approves the Request for Proposals-Legal Services to engage an Assistant Town Attorney to assist the Town in all negotiations with Connecticut Water over the acquisition and related legal issues with our contract for the well field at Fisher Meadows.

Mrs. Maguire, Messrs: Zacchio, Pena, and Stokesbury voted in favor.

IX. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager reported that Engine 7 is tentatively scheduled for delivery in December.

Misc. B: Construction Update: The Town Manager reported that we are working with the Town of Farmington to reconcile the final budget numbers for the Fire Training Center; so far no expenditures from the equity in the capital account originally for the fire apparatus that Council authorized him to use to defray some of these expenses. He noted that for the STEAP Phase IV Project the lighting fixtures are on order and should be delivered by the end of December.

Misc. C: Country Club/West Avon Intersection: The Town Manager reported that we have a proposal from Fuss & O'Neill in the amount of \$1,500 to do a write-up on the intersection and get some recommendations to give us some cost estimates; it is something that we need to take a look at, there is funding available. Mr. Stokesbury commented that this is Fuss & O'Neill's traffic engineering division. The Town Manager responded yes. Council concurred. Chairman Zacchio commented that the stats did not feel as heavy as he thought they would be but would be good to get an overview. He noted that the problem we ran into the last time we looked at it was the same issue, we do not have the room to do anything and when you get into the cost to widen the road it is a matter of the property as well and moving fire hydrants. He added that it would be worth having Fuss & O'Neill give us some drawings and ideas. Mrs. Maguire commented that at the last meeting left arrows were mentioned. Chairman Zacchio responded that they looked at that last time and thinks it will help but the study at that time said it won't. Mrs. Maguire commented that it is a bad intersection; now the kids are out running back and forth to the library and it is dangerous. The Town Manager commented that we can include that in the scope for Fuss & O'Neill, not only the addition of the turning lanes but also look at the arrows. Mrs. Maguire commented that the lights should stay constant throughout the night because at Lovely Street/Country Club Road and Country Club Road/West Avon Road they go to flashing

at 10:00 p.m. Chairman Zacchio commented that he thinks that is a State law. Mrs. Maguire questioned the benefit to a flashing light. Mr. Pena commented that there might be some influence because at one time the one at Avalon Road/West Avon Road used to flash but now it stays on all the time. Chairman Zacchio asked the Town Manager to give them a broad scope to work with.

Misc. D: GFOA Budget Award & ICMA Credential: The Town Manager reported that both items were renewed.

Misc. E: Police Department Promotions: The Town Manager reported that in terms of police staffing he is happy to report that we are doing very well; we have the officers that are going to be going to the Academy so they are not on the road yet but in terms of the head count we are at thirty-two actual and thirty-four funded and still have an active list for patrol and have some people in background checks so we can be at 100% soon.

The Town Manager reported that the Plan of Conservation and Development was adopted on November 15th. Chairman Zacchio commented that it is an awesome body of work.

X. EXECUTIVE SESSION: Collective Bargaining
Pending Claim

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

RESOLVED: That the Town Council go into Executive Session at 9:27 p.m.
Mrs. Maguire, Messrs: Pena, Zacchio, and Stokesbury voted in favor.

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

XII. ADJOURN

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

RESOLVED: That the Town Council adjourn the meeting at 9:44 p.m.
Mrs. Maguire, Messrs: Stokesbury, Zacchio, and Pena voted in favor.

Attest:

Ann L. Dearstyne, Town Clerk



Avon Volunteer Fire Department

2017 – 2018

Capital Improvement Presentation

Proposal to Town Council

December 1, 2016

Avon Volunteer Fire Department Rationale for Capital Requests

The Avon Volunteer Fire Department must have the ability to achieve the mission of our organization. By achieving the core actions in our mission statement, below, the AVFD is able to contribute significantly in reducing the level of risk for the Town of Avon and most importantly for the residents within our community.

- Life Safety
- Fire Prevention
- Fire Suppression
- Rescue Support
- Other Emergency Services supporting town residents

Without the essential funding for equipment, training, and facilities that the Avon Volunteer Fire Department requires to fulfill its mission; the community is accepting an unknown level of risk. The risk that the required level of protection within our community, at times, may not be adequate and in line with the AVFD and community expectations.

The AVFD will continue to monitor the bigger picture and as the needs of our community changes, we will refine our department mission statement to support those changes.

1

Avon Volunteer Fire Department

Summary of 2017/2018 Capital Requests

1. Fire Apparatus Replacement	\$	550,000
2. New Fire Station/Facility Study	\$	25,000
3. Fire Station Facility Improvements	\$	100,000
4. Self Contained Breathing Apparatus	\$	100,000
Total: \$		775,000

2

Avon Volunteer Fire Department Capital Requests

FIRE APPARATUS REPLACEMENT

3

NFPA 1901: Standard for Automotive Fire Apparatus (2009 Edition)

- “Because the changes, upgrades, and fine tuning to NFPA 1901, *Standard for Automotive Fire Apparatus*, have been truly significant, especially in the area of **safety**, fire departments should seriously consider the value (or risk) to fire fighters of keeping fire apparatus older than 15 years in first-line service.”
- “It is recommended that apparatus greater than 15 years old that have been properly maintained and that are still in serviceable condition be placed in reserve status and upgraded in accordance with NFPA 1912, *Standard for Fire Apparatus Refurbishing*, to incorporate as many features as possible of the current fire apparatus standard.”
- “Apparatus that were not manufactured to the applicable NFPA fire apparatus standards or that are over 25 years old should be replaced.”

Source: NFPA 1901, Annex D Guidelines for First-Line and Reserve Fire Apparatus, D.1 General (1901-176).

4

Fire Apparatus Replacement

Other Considerations for Determining Useful Life

- Vehicle mileage
- Engine hours
- Quality of the preventative maintenance
- Quality of the driver training programs
- Whether the apparatus was manufactured on a custom or commercial chassis
- Quality of the components used
- Availability of replacement parts

Source: NFPA 1901, Annex D Guidelines for First-Line and Reserve Fire Apparatus, D.2 How the Standards have Changed (1901-176).

5

Fire Apparatus Replacement

Considerations for 2017/2018 Budget and Beyond

- Reaffirm Authorization of **\$550,000** in 2017/2018 budget year
- Continued planning and annual funding of apparatus replacement scheduled through fiscal year 2029/2030
- Adoption of a 20-year replacement policy for apparatus after all equipment in current fleet have been replaced
 - Offers more consistent, reliable long-term replacement plan
 - Is more conservative than the NFPA standard of 15 years for front-line responding units
 - Annual “allowance” in today’s dollars for future apparatus replacement estimated to be **\$350,000** per year (beginning in fiscal year 2027/2028)
 - AVFD will maintain and manage the developed apparatus replacement schedule

6

Avon Volunteer Fire Department Capital Requests

PROPOSED FIRE STATION & EXISTING FIRE STATION ASSESSMENT

7

Fire Station Assessment

Limitations of Current Company 2 Fire Station

- Secret Lake Road
 - Narrow, privately owned road not maintained by the Town
 - Significant rainfall can cause Secret Lake to flow over the road making the fire house **inaccessible** from the Avon side
 - Speed control measures in neighborhood impede response time for personnel going to and apparatus leaving the fire house
 - Responding apparatus must **come to a complete stop** before each speed hump before proceeding over at 5-10 mph



8

Fire Station Assessment

Limitations of Current Company 2 Fire Station (continued)

- Secret Lake Road



9

Fire Station Assessment

Limitations of Current Company 2 Fire Station (continued)

- Secret Lake Road



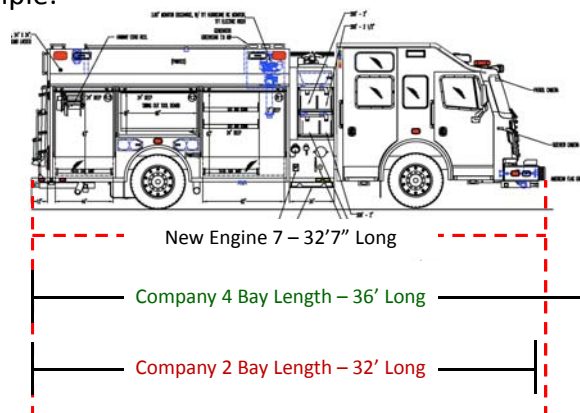
Photo Credit: Secret Lake Association Facebook Page. August, 2011

10

Fire Station Assessment

Limitations of Current Company 2 Fire Station (continued)

- Fire house size
 - Too small to accommodate modern apparatus
 - Example:

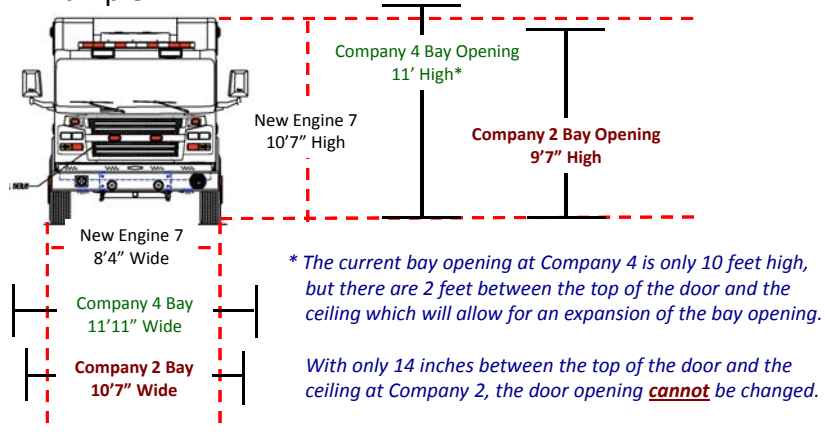


11

Fire Station Assessment

Limitations of Current Company 2 Fire Station (continued)

- Fire house size
 - Too small to accommodate modern apparatus
 - Example:



12

Avon Volunteer Fire Department Capital Requests

FIRE STATION IMPROVEMENTS

13

Fire Station Improvements

Facility Upgrades and Maintenance

- Due to the age of the fire house facilities, many significant repairs and/or replacements will be necessary to maintain the firehouses in the coming years:

Facility	Age (Years)	Upgrades/Maintenance
Company 1 (Darling Drive)	38	<ul style="list-style-type: none"> Replacement of 10 original windows on the main level Replace boiler/furnace Replace exterior concrete steps Remove wall length glass in rear of building; insulate and add windows
Company 2 (Secret Lake)	50+	<ul style="list-style-type: none"> Roof replacement Outside drainage

- Total estimated cost for facility maintenance: **TBD**

**Can defer or avoid some upgrades to Company 2 if a replacement fire station is approved.*

14

Fire Station Improvements

Facility Upgrades and Maintenance

- Due to the age of the fire house facilities, many significant repairs and/or replacements will be necessary to maintain the firehouses in the coming years:

Facility	Age (Years)	Upgrades/Maintenance
Company 3 (W. Avon Road)	43	<ul style="list-style-type: none"> Replace boiler/furnace Apparatus ventilation system
Company 4 (Huckleberry Hill)	43	<ul style="list-style-type: none"> Lower level cooling system Water intrusion Roof replacement

- Total estimated cost for facility maintenance: **TBD**

**Can defer or avoid some upgrades to Company 2 if a replacement fire station is approved.*

15

Fire Station Improvements

Considerations for 2017/2018 Budget

- While the fire station building committee is being established, approve \$100,000 to begin work on maintenance and/or upgrades at the existing fire stations.
 - All of our fire stations are aging and are in need of renovation.
 - The needs of the department have changed and the existing stations do not provide enough office space or storage.
 - The full cost associated with renovating the fire stations is not completely known at this time and requires more thorough analysis of our needs, and the future needs of the Department.
- Focus improvements at Company 1, 3 and 4 until decision on replacement of Company 2 has been made.

16

Avon Volunteer Fire Department Long Term Projects

FIRE SERVICE EQUIPMENT

17

Fire Service Infrastructure and Equipment Long Term Projects

- Self-Contained Breathing Apparatus (SCBA)
 - Purchased all new respiratory protection in 2005
 - **Required** to replace 183 SCBA cylinders FY 2019/2020 through FY 2021/2022
*"All composite SCBA cylinders have a **maximum service life of 15 years**, provided they are hydrostatically re-tested on a regular basis in accordance with DOT regulations.*
*At the end of the 15 year service life, **composite cylinders must be removed from service and destroyed** (to ensure that they cannot be used again)."*
 - Planning to replace cylinders and entire respiratory protection system (air packs)
 - Estimated replacement cost: **\$1,095,000**



Source: U.S. Fire Administration Special Report: Prevention of Self-Contained Breathing Apparatus Failures, Nov 2001.
<http://www.usfa.fema.gov/downloads/pdf/publications/tr-088.pdf>

18

Avon Volunteer Fire Department Capital Requests

**ON BEHALF OF OUR MEMBERS,
THANK YOU FOR YOUR CONTINUED SUPPORT**

19

Avon Volunteer Fire Department Capital Requests

APPENDIX

20

Fire Apparatus Replacement Schedule

Major Apparatus	Response Type	Model Year	Recommended Replacement (NFPA)	Planned Replacement
Rescue 8	Primary	1988	2003	2018
Engine 9	Reserve	1993	2008	2018
Tanker 5	Primary	1996	2011	2021
Engine 10 ⁽²⁾	Primary	2001	2016/2021	2025
Engine 14	Primary	2001	2016	2025
Ladder 12	Primary	2001	2016	2029
Engine 11	Primary	2015	2030	2040
Engine 7	Primary	2016	2031	2040

21

Fire Apparatus Replacement Schedule

Support Apparatus	Response Type	Model Year	Suggested Replacement	Planned Replacement
Truck 6	Fire Police	1989	2004	immediate
Truck 16	Fire Police	1995	2010	2017
Truck 17	Training	2015	2030	2030
Brush 15	Brush Truck	2002	2017	2024
Truck 18 ⁽¹⁾	Utility/Training	2005	2020	2020
Car 19 ⁽²⁾	Duty Officer	2007	2022	2025

(1) Truck 17 & 18 were purchased by the AVFD Corporation but are used regularly for incident responses and to transport personnel to training in town and out-of-town.

(2) Car 19 was purchased by the AVFD Corporation and is used regularly as the Duty Officer response vehicle.

22

Fire Apparatus – Truck 6

Fire Police / Support

Old Truck 6 (1989 27 yrs old)



New Truck 6



23

23

Fire Apparatus – Truck 16

Fire Police / Support

Old Truck 16 (1995 – 21yrs old)

New truck 16 (2002)



24

Fire Apparatus – Brush 15

Mini-Pumper / Brush Truck 15



25

25

Fire Apparatus – Proposed All Terrain All Terrain Vehicle



26

26

Fire Apparatus – Engine 9 Engine 9 (1993)



27

27

Fire Apparatus – Rescue 8

Rescue 8 (1988)



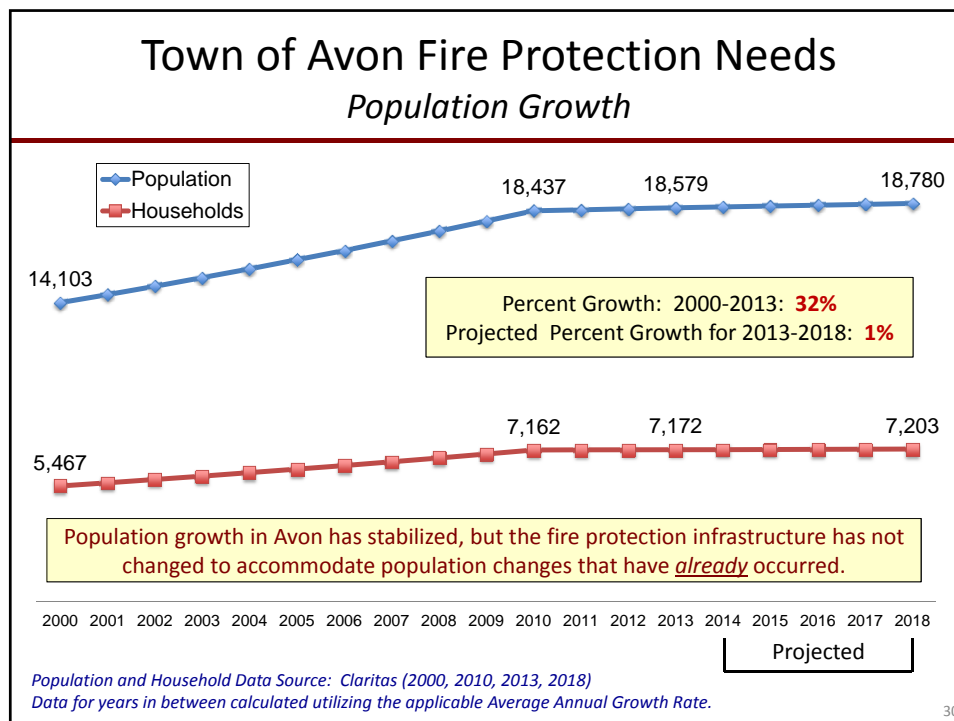
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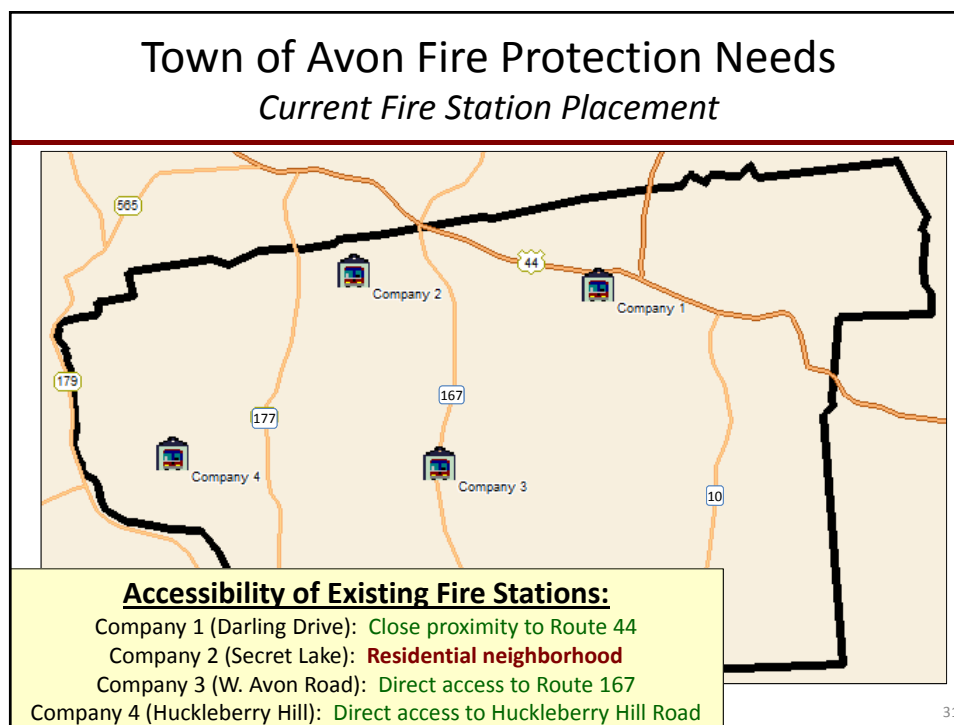
Avon Volunteer Fire Department Capital Requests

PROPOSED FIRE STATION & EXISTING FIRE STATION ASSESSMENT

29



30



31

Additional Facts, Figures and Analysis

Available upon request

32