

**AVON TOWN COUNCIL
MEETING MINUTES
March 1, 2018**

I. CALL TO ORDER

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

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Maguire.

III. PUBLIC HEARINGS:

17/18-34 828 West Avon Road (Avon) acquisition and lease to third parties of a portion thereof for agriculture and farming, and 8310 Gillette Way (Farmington) utility easement acquisition

The Public Hearing was called to order at 7:30 p.m. by Chairperson Maguire. Mr. Stokesbury read the following legal notice:

“TOWN OF AVON
LEGAL NOTICE
NOTICE OF A PUBLIC HEARING

Notice is hereby given that the Town Council of the Town of Avon, Connecticut will hold a Public Hearing on Thursday, March 1, 2018 at 7:30 p.m. at the Town Hall, Selectman's Chamber, 60 West Main Street, to consider and permit all interested persons to speak on the following matters:

(a) The proposed acquisition by the Town of an approximately 39.3 acre parcel of land known as 828 West Avon Road in the Town of Avon, now or formerly owned by William J. Severni, and all improvements and appurtenances thereto, (b) the acquisition by the Town of a utility easement over certain property known as 8310 Gillette Way, in the Town of Farmington, Connecticut, now or formerly owned by William J. Severni, abutting said 828 West Avon Road property, and (c) the lease by the Town to Lenore L. Severni and William J. Severni of an approximately 22.38 acre portion of said 828 West Avon Road property to be acquired by the Town, to be used by and occupied by the lessees solely for the purposes of agriculture and farming.

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

Dated at Avon, Connecticut this 2nd day of February, 2018.

Brandon L. Robertson, Town Manager”

The Town Manager welcomed Harry DerAsadourian, Town Assessor, who is present this evening. The Town Manager highlighted the map (which is attached and made part of these minutes). He corrected the total acres that would be acquired by the Town to approximately

thirty-eight acres along with a utility easement which is to the south of the property. He noted that an important element of the acquisition is that we would acquire the property with no land use restrictions and if the Town ever had a need to build out the property for whatever purpose, an athletic or educational use, the Town would be free to do that subject to all Planning and Zoning and other notice requirements that may apply. He noted the different colored areas, red and blue, the Town would acquire the thirty-eight acres, enter into a lease agreement with the Severnis for about 22 acres in red which would be a leaseback to give them a buffer around their property, there are a lot of protections for the Town in it in terms of what the property owners can do with the property and would remain in its existing condition for agricultural purposes and also contingencies that protect the Town in the event that the Severnis decide to sell their property in which case the lease would be null and void. He noted the blue area which would not be covered by the leaseback provision; the Town's plan would be to get Request for Proposals from farmers and agricultural concerns and would contract with the farmer for the maintenance of this area; most likely would be hay, for instance. He noted that the leaseback provision can continue for up to eighteen years. He noted that the blue area would likely be done in three-year increments or start year to year increments until we hit a comfort level with whatever agricultural concern we contract with. He noted some background on the property which is a property that the Town has been pursuing for decades, it is included in the Town's Plan of Conservation and Development as one of the priority acquisitions for the Town should it come on the market, and it really is a strategic acquisition for us and has been a very long conversation over a number of years. He added that in terms of the financial side of this the Town would be acquiring the property for about \$2 million; this is unique as Avon has never done this, normally when we do bonding we go to the capital markets where a general obligation bond would be issued, but in this case the Severnis will hold the paper, a note over the term that it is paid down and rather than issue debt we will pay for the acquisition through a combination of our capital budget and our debt service budget over eight years at the end of which we will own it without any restrictions; for the first year of the acquisition the first payment would be due in July 2018 in the amount of \$470,000 frontloading the debt and drops off quickly after the first year and this amount is already baked into the proposed budget for FY 19 that the Town Meeting and the Board of Finance and the Referendum will take action on in May. He added that in terms of the appropriation process, there are two different processes given the amount of funding that is involved; if the acquisition were over about \$2.65 million it would require approval at referendum, but in this case it is about \$2.1 million with the interest at about 1.75% so it would require approval at Town Meeting, a hand vote, which has not been scheduled yet but most likely would be done sometime in May. He noted that the Assessor who is certified to evaluate property has determined that the property value is about \$2.1 million as of today and takes into account most recent sales in the area so we think it is a competitive value.

Mr. Stokesbury questioned the purpose of the utility easement which is running to the south through Town of Farmington property. The Town Manager responded that the purpose of that is to plan for the future in the event that the Town ever decided to develop the property which at this point there are no plans to do that but we want to retain the flexibility to have that option and the utility easement is planning for the future. Mr. Stokesbury questioned, at present, if the property owner is under any adverse restriction against developing the property for themselves. The Town Manager responded no; the property could be developed, it would be subject to local Planning and Zoning requirements. Mr. Stokesbury asked for some of the benefits or cost avoidance that we might see from avoiding having the property developed. The Town Manager

responded that there are any number of development scenarios that are higher likely in the event that the Town does not acquire the property. He noted that we did some work internally between the Planning Department and Engineering Department and we think that a pretty conservative lot yield for the property would be between twenty-three and twenty-seven lots and that does not take into account an 8-30g affordable housing application in which case you could get a very high concentration of development on this property and with 8-30g the ability of the Town to have a lot of discretion over that type of development is greatly curtailed by State law; if you are looking at it as a conventional development you are looking at between twenty-three and twenty-seven lots, if you are looking at it as an 8-30g it could be a lot higher density and as you get development you get costs, negative externalities like traffic, light pollution but you also get Town services, you get bedrooms which could mean children which puts more of a stress on the school system; even if you thought about a development you have to look at what the tax revenue might be versus whatever costs may derive as a result of the development.

Mary Harrop, 100 Climax Road, commented that this is a wonderful opportunity for the Town and would like to thank the Severnis for bringing it to us. She is in support of this and have spoken to many people who think it is a wonderful opportunity because as you said we could have a lot of houses there; the land is beautiful. She has lived in Town many years and envied the Severnis. She hopes it goes forward and thank you all for considering it.

Alfred Nemarich, 71 Cheltenham Way, commented that he has lived in Town for the past twenty years and spoke in favor of the acquisition of this property. He reads in the paper almost every week that some developer is looking to put a cluster of homes on two acres of land and that would adversely affect the character of the Town of Avon and for the Town to have control over this beautiful piece of property would be an asset; thank you.

Chairperson Maguire stated that this public hearing will be kept open until the next Council meeting on April 5, 2018 to hear additional comments and questions from people.

David Whitney, 24 Christian Drive, professional engineer with an office in Town and lifelong resident, commented that he is not necessarily against this proposal but questioned the \$2 million price tag and how that was determined. He noted that he does feasibility studies and subdivision designs for a living and questions whether twenty-three to twenty-seven lots is realistic on this property. He does not know how much wetlands is on the property, he thinks there is some but he questions whether we can actually connect to the sewers in Farmington because this sewer shed goes to Simsbury. He questions the cost of the road, storm water management; when you look at all of the factors that go into development of this property he is not sure you are going to get twenty-three to twenty-seven lots. He commented that there is always the possibility of an 8-30g but this property is not necessarily sewered and watered at present. He noted that the Planning and Zoning Commission is revisiting your attainable overlay zone. He thinks that \$2 million is a lot of money. He noted that the Town has had some internal discussions with Engineering, Planning, and Assessing and asked if there have been any site plans actually developed, any preliminary plans that show how there might be twenty-three to twenty-seven lots; any cost analysis to do that kind of subdivision. He noted that it was stated there are no restrictions on the property but yet there is an eighteen year restriction on a significant portion of it; we could use this site for a future school, future fire station; he has had some informal discussions about whether this is a suitable location for a fire station or school; do we need more

schools. He has been on three school building committees and every demographic study we pay for seems to be wrong. He asked if our population going down or up in the schools. He thinks there needs to be some more information given to us to evaluate whether \$2 million is a fair price. The Town Manager responded that in terms of the utility easement, the piece to the south is technically in the Simsbury water shed so if the property were ever to be developed, you would have to go to Office of Policy and Management (OPM) and get approval of the Town of Farmington and issues to work through. He responded that in terms of the development potential we have looked at it carefully and certainly Steve Kushner, former Town Planner, who was intimately involved with assessing the development potential of this project; this is not something that came up overnight, these discussions started back in 2000-2001; there were a number of informal plans done between Planning and Engineering where they did sketch out the development potential. He noted that part of the due diligence we have to do at this point is to go through and complete the A2 survey, have the wetlands formally delineated. He noted that on the wetlands side in talking with the Assessor recently it is highly likely that there are less wetlands on the property than originally thought so there may end up being more development potential; what that yields in terms of additional lots he does not know. He responded that in terms of the Town's long-term development needs it is very difficult to say; you can say now that looking out over our capital improvement plan and our long-term planning there are new schools on the horizon, school enrollment continues to be pretty steady; we don't have any significant Town facilities on the horizon with the exception there has been some discussion about a new fire station in the northwest area of Town which would seem to negate this property as an option. He noted that you have to keep in mind that Avon is approaching 85% build out and as land becomes scarce the potential for higher density development becomes more likely and could drive higher population which could drive the need for additional educational facilities or athletic facilities that is why in assessing this property the Council thought it best to acquire it without the restrictions in the future so it keeps the options open. He asked the Assessor if he had anything specific to add in terms of valuation. Harry DerAsadourian, Town Assessor, commented that in terms of wetlands we feel that there are less wetlands than are shown on the map based on a professional wetlands soil scientist's work on the adjoining property and was noted that the Town's wetland line was inaccurate and is less and that is part of our due diligence. He noted in terms of the lot yield Steve Kushner did an analysis; hypothetically it could be twenty-five or more but Mr. Kushner felt realistically twenty-two lots so our estimates have always been on the conservative side in terms of the lot yield. He added that in terms of the value the property owner can ask what they wish and we have to determine if their request is reasonable; looking at several recent land sales and we have been looking at this property probably fifteen years on and off and we valued it in 2009, we hired an appraiser when the market was very strong and we were very active in the negotiations and the value was greater than \$2 million. He added that we valued it in 2010 and he updated that value this week taking into consideration three subdivisions that have occurred on Huckleberry Hill Road, Lenox Drive, and Founders Way and they all indicate a much higher per lot value, approximately \$100,000 or more, as well as a per acre value, \$65,000 or more. He added that this is in the \$50,000 range and on a per lot basis would be less than \$100,000 and he thinks this is reasonable given we are not looking to develop it immediately and have no plans for development but it is a nice gateway property into the Town; the value should it go to residential development, the value would increase and it would sell out fairly quickly. He thinks our numbers are realistic and proven by the market place so he is comfortable with the \$2 million; in addition, you are correct about the sewer shed but we would go to OPM and there have been several developments in Town that

were in other sheds that ended up going to Farmington so changing the shed has occurred several times throughout the Town's history. Mr. Whitney commented that he worked with Steve Kushner for all the years he was here in Town and the Assessor as well; over those thirty years with Steve he must have gone to several hundred Planning and Zoning meetings and upon many occasions he heard Steve say he is not an engineer so he respects Steve and Harry but if a client came to him and asked if they should pay \$2 million for this property he would not say somebody did some studies a few years ago and wrote a memo. He is asking for some more detailed information and why we can't draft to delineate the wetlands now and know for sure before we pay \$2 million or enter into an agreement. He asked if an appraisal was done because he did not see one; he went to the Town Clerk's Office and got all of the information there but did not see an appraisal and he would be very interested in that. He learned through thirty years of working in land development that every piece of property is different so what can happen over here may not be allowed to happen here. He is not against purchasing the property, it is a beautiful piece of land, but has a sense \$2 million is too much money and is asking for facts, the same thing he would do if a client came to him.

Joe Mazur, 26 Sylvan Street, commented that there is no disputing that is a beautiful piece of property and as the Assessor said that is a gateway to Town and if that is the case it should be purchased for open space only, not for general municipal use for the Town at some further time. He does not find that acceptable at all; that is why MH Rhodes was purchased years ago in case they needed another school or wanted storage facilities or something like that. He noted that just because a piece of property becomes available in Town doesn't mean we have to buy every single one of them; if you wanted to do it for open space that is different, that is a game changer. He added that we just had several Planning and Zoning meetings, they are trying to cram twenty-six houses in on four acres on Sylvan Street and that is a secondary street in a neighborhood that was developed in 1941; twenty-six houses on four and a half acres in there and we had to fight that and the Town Manager said that if this got applicable for AHOZ and there are twenty-six houses in there made it sound like the sky was falling; that is a perfect place for that, you have your open space, cluster housing, it is on a main, state road; we have to get our priorities straightened out. He added that you are buying thirty-nine acres, leasing back twenty-eight for eighteen years sounds like a sweetheart deal to the Severnis; their vista isn't going to change; it will be the beautiful spot they have now, they will keep looking at it for eighteen years the way it is for a \$1 per year, hey he'll give you \$2 per year for it; at least it is coming off the tax rolls, at least get the property taxes on it instead of \$1, those are \$90 a year and doesn't think that's a road game changer. He noted that there is a lot of stuff going on in Town; we have ball fields going on at Fisher Meadows; the Town has never done a project and brought it in under budget; the money is going out pretty fast for a lot of different stuff so he doesn't think it is a wise purchase at this point right now. The Town Manager responded that in terms of Fisher Meadows, that project is paid for so there are no further appropriations that are required for that.

Susan Rietano, 11 Edwards Road, Vice-President of the Avon Land Trust, and noted that the Town Manager came to our meeting a couple weeks ago and presented this land acquisition to us and we were unanimously supportive. She noted that to Mr. Mazur's point, our mission is preserving open space and our feeling is that is the priority but it is also ironic in the context of this evening that there are a lot of people here to talk about field remediation at the high school and thirty years ago when she had just moved here the Sudbury Way property was for sale for about \$700,000 and was not purchased and there were two opportunities for the Town to

purchase and it wasn't and we see now it is a beautiful development and absolutely no comment about that in the negative but if the land had been purchased it would have considerably changed our options for the high school. She thinks given the point that we have about 85% saturation there aren't a lot of properties left for us to purchase and to hold onto for whatever reason, hopefully for open space, but if we are in a position where we really need to build something we have that space open to us. She has been on the Avon Land Trust Board for at least fifteen years and this has been on our list for all the years she has been on the Board but we don't have the financial resources the Town does by any stretch but they fully support this with the hope it would remain open space but with the knowledge that it is important for the Town to have some open space when there is so little left if there are needs for further resources, infrastructure, or building needs.

Chairperson Maguire stated that this public hearing will remain open until April 5th at our next Town Council meeting; if you have comments/questions/suggestions please send them to the Town Manager and he will pass them onto us. The Town Manager highlighted two critical path timelines for the Town Meeting and can talk about more in April; one of them would get you to a Town Meeting on April 30th, the other option would get you to a Town Meeting on June 4th.

17/18-43 Sanitary Sewer Easements: 4 Southgate and 415 Lovely Street

Mr. Stokesbury reported that he has a conflict of interest with this matter and will recuse himself by stepping out of the room from the meeting.

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

“TOWN OF AVON
LEGAL NOTICE

NOTICE OF A PUBLIC HEARING

Notice is hereby given that the Town Council of the Town of Avon, Connecticut will hold a Public Hearing on Thursday, March 1, 2018 at 7:30 p.m. in the Selectman's Chamber, 60 West Main Street, Avon, Connecticut for the following purposes:

1. To accept a Sanitary Sewer Easement on land designated as “PROPOSED 20' WIDE SANITARY SEWER EASEMENT IN FAVOR OF TOWN OF AVON OVER PARCEL # 3060415 and PARCEL #5390004” As shown on map entitled “EASEMENT MAP PREPARED FOR CT VALLEY DEVELOPERS LLC PARCEL #3060415 #415 LOVELY STREET AVON, CONNECTICUT SCALE 1” = 30' DATE: 11-7-2013 REVISED 11/27/2013” Prepared by Dufour Surveying LLC 575 North Main Street Bristol, Connecticut 06010, Carmine J. Matrascia –L.S., CT. License No. 70219, on file in the Office of the Avon Town Clerk as Map 1718.

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

Dated at Avon, Connecticut this 2nd day of March, 2018.

Brandon L. Robertson, Town Manager”

Chairperson Maguire reported that this is for a sanitary sewer easement across the properties located at 4 Southgate and 415 Lovely Street; this will provide the other properties on Southgate with access to sanitary sewers constructed by the developer. The Town Manager noted that the

Engineering Department has certified that we need it; the reason we need to have a public hearing is that the Charter requires that when the Town obtains an interest in any real property we have a hearing. He recommends acceptance.

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

RESOLVED: That the Town Council close the public hearing.

Mrs. Maguire, Messrs: Pena, Speich, and Bernetich voted in favor.

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

RESOLVED: That the Town Council accept a Sanitary Sewer Easement on land designated as “PROPOSED 20’ WIDE SANITARY SEWER EASEMENT IN FAVOR OF TOWN OF AVON OVER PARCEL # 3060415 and PARCEL #5390004” As shown on map entitled “EASEMENT MAP PREPARED FOR CT VALLEY DEVELOPERS LLC PARCEL #3060415 #415 LOVELY STREET AVON, CONNECTICUT SCALE 1” = 30’ DATE: 11-7-2013 REVISED 11/27/2013” Prepared by Dufour Surveying LLC 575 North Main Street Bristol, Connecticut 06010, Carmine J. Matrascia –L.S., CT. License No. 70219, on file in the Office of the Avon Town Clerk as Map 1718.

Mrs. Maguire, Messrs: Pena, Speich, and Bernetich voted in favor.

Mr. Stokesbury returned to the room and rejoined the Council for the remainder of the meeting.

IV. MINUTES OF PRECEDING MEETING: February 1, 2018

A few corrections to the February 1, 2018 Meeting minutes was made as follows:

On page 6, last sentence, change “you” to “she believes....”

On page 7, 1st paragraph, 7th line, change “different” to “differently,” 8th line, omit “only,” and 9th line, change “are” to “is.”

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

RESOLVED: That the Town Council accept the minutes of the February 1, 2018 Meeting as amended.

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

V. COMMUNICATION FROM AUDIENCE

Christine Winter, 191 Cold Spring Road, wondered if comments about the fracking ban issue should come up under the Town Manager’s Report. Chairperson Maguire responded yes.

Adam Lazinsk, 88 Deepwood Drive, commented on the sign that has been up on Mr. Cecere’s property at Huckleberry Hill Road; it is in its third iteration now. He supports someone’s first amendment rights but is there some sort of violation of signage regulations that would prohibit him from continuing to have that sign up. The Town Manager responded that there is probably an issue with the building permit there and left it to the Planning Department to determine whether or not that is something that is appropriate to follow up on. He thanked him for mentioning it.

VI. COMMUNICATION FROM COUNCIL

Mr. Stokesbury noted that there is a piece in today's digital edition of the Courant by Robert Thorson, a professor at UConn, dealing with fracking and urged people to look at it. He also noted that our Revenue Office is reporting 100% tax collection on real and property taxes; it is March 1st, that is unbelievable and they should be commended for their efforts.

Mr. Bernetich noted that there are many people here for the turf field item but asked if the item regarding the Girl Scout Proclamation could be moved up on the agenda.

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

RESOLVED: That the Town Council move up agenda item 17/18-52 2018 Girl Scout Week Proclamation.

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

VII. OLD BUSINESS

13/14-48 Synthetic Turf Field Project: Avon High School

Chairperson Maguire reported that this item was added to the agenda at the request to ladies that are present tonight; the timing is great to have a conversation about where we go. She referred to last month's meeting minutes and some of the things that Senator Witkos and Representative Slap had to say about the state of the State and overall state of us getting any funding for the turf field project. She noted that we have realize that the assumptions we made going into this project was that it would be a three-legged stool – the Town, the State, and private fundraising. She added that it doesn't look like State funding or private fundraising is forthcoming at this point. She noted that we have to look at the project at \$4.9 million that she knows virtually everyone in this room is very eager to see happen. She noted that we need to revisit everybody's thoughts, look at how our debt would be structured and how we can handle this, look at the scope of the project, and how we can make this work. She added that we want to work together and try and get this moving ahead. She noted that we have a lot of projects out there – our radio system, Old Farms Road Project so we have a lot on our plate to fund and we need to find a way to make it work.

The Town Manager commented that there are a number of potential projects on the horizon and if we look at Tab M in our budget books, which is online for anyone inclined to look at it, there are four projects for which we are anticipating debt that have not been approved yet – the synthetic turf field project and have assumed about \$2.5 million in our projections for that, we have a very important public safety radio project that is going to be coming up and we had assumed \$3 million but the costs are coming in at \$3.2-3.3 million and still a work in progress, we have the Old Farms Road Project and about \$6.5 million that we are estimating on a preliminary basis, and we have the Fire Station in the northwest area of Town at about \$5.2 million. He noted that these four projects on the horizon may require bonding in the short to mid-term. He added that with the synthetic turf field project, where for all good reasons, the Council went to the point of basically completing design development and plans are permit ready at this point. He noted that with the Fire Station Project it is so preliminary we have not found a suitable property for that. He noted that the public safety radio project it is a little bit further

along than the Fire Station Project but still has some additional refinements that are necessary. He noted that as we talked about on Saturday at the budget workshop we have over the last number of years been carefully managing our capital plan and our debt curve and are on a very aggressive schedule to eliminate long-term debt and at this point, assuming no other projects, in 2028 we have no long-term debt; as that debt has been declining over the last number of years and we have been shifting that capacity to capital with the understanding that if we need to issue additional debt we can reduce the capital budget and bump up the debt service without having an impact on the mill rate. He noted that going forward, and the point of taking a step back and looking at this in the broader context is very important and should come as no surprise that the State of Connecticut is (inaudible); they have terrible long-term issues that are essentially intractable and while the Town of Avon is not dependent on the State of Connecticut for funding it is still between \$1.2 and \$1.5 million per year that if that funding is eliminated we either have to reduce spending or we have to increase the mill rate to make up for that. He noted that this year whenever we were preparing for FY 18 that was the first year we started to reduce our estimates for State aid and he is continuing to do in FY 19, but as worried about next year. He noted that the other two issues on the horizon are the revaluation coming online on the 2018 Grand List which will affect our FY 20 budget; we have a general understanding of what market conditions are and can say with certainty we are not going to see a 2-3% increase in the Grand List that we could use to offset the tax levy and therefore the mill rate which puts more pressure on the mill rate. He noted that as we think about these projects that will require bonding in the future we have to plan them very carefully and prioritize because they will all have an impact on the mill rate. He added that the FY 19 budgets are very lean and still looking at a mill rate increase of about 2.48% so by issuing additional debt you will increase that by at least tenths of a percent going forward. He noted that while Avon is in a really strong position financially our debt service is scheduled to be retired in 2028, we continue to retain our AAA bond rating, and both Moody's and Standard & Poor are taking great interest in even the AAA credit ratings because of what is going on with the State of Connecticut and with Hartford and they are not very sympathetic. He noted that they are looking at credit ratings including a town very close to us with a AAA and rather than wanting to hear what our story is they are just looking at it as analytical exercise and saying if you don't hit the numbers then you're no longer a AAA and will impact our borrowing costs.

Chairperson Maguire asked the Town Manager if we could look at the cost to bond and do a tax impact for the projects, i.e. the full \$5 million for the turf field project and even the project at a reduced amount, and what the potential tax impact per project would be. The Town Manager responded yes; that is an exercise we go through every couple of years and in this case we would have a conversation with our Financial Advisor and make some assumptions on when these projects might be ripe for approval, including when they would be approved by the public and when we might issue debt and do a financial plan, make some assumptions about the interest rates and number of years on the bonds and come up with a revised long-term debt service plan and back into what the mill rate impact would be based on our financial forecast for expenditures and we could break it out and get to the level of looking at each project in terms of a tax impact analysis. He noted that if Council has that, you can at least see going forward what the mill rate impact could be for these projects and something we would have to do anyway because before projects can go to referendum or Town Meeting the Board of Finance is required to do a tax incidence analysis. He has not had any conversations with our Financial Advisor about that yet but we can have him work on that and present his findings and have more discussion about it.

Mr. Speich commented that the Turf Field Project is still worthy but the landscape has changed over time with the State and in his opinion there will not be any State funding available for it so there is really only one other place which is outside funding which is a big nut to crunch to try and get a lot of money from individuals, corporations, or businesses in Town but we were able to do it for the Burn Building in Farmington, not to this value but he has not heard about any ideas about fundraising that would occur which may drop it a little bit. He inquired about staging the project, if it could be broken out into a few sections and spread it out a little bit, do the most important part first, do the other part later which would at least be able to help spread out the debt a little bit to try to make it affordable, but \$5 million is a lot of money. He is anxious to see some options using the debt.

Mr. Pena commented that all of the projects are important, the radio system project is important to everybody in Town, we know many places that we have difficulty; we know the difficulties that exist with Old Farms Road and that is a valuable project as well; the Fire Station Project is not even close to complete but something that we would have to do for the Fire Department and for the safety of our residents; for the Turf Field Project we may have to look at it a little bit differently; when we looked at this project a few years ago we were looking at three types of funding – public money, private, as well as the Town; basically two I think agreed are probably not existing right now, which is the State money – we had the representatives here and they told us that it just doesn't seem feasible that we will get the State money. Mr. Stokesbury commented that they actually didn't come out and say that. Mr. Pena responded that he spoke to them again this past weekend and the possibility of getting funding is not easy. He also noted that the private funding was another part of it all and seemed to be dried up or not there right now. He noted that it is not easy, this has been a project that many people and residents have asked for and has been a long time coming here and also the reason we moved the project forward because we had those three funding sources and felt comfortable but that has changed. He noted that all of the projects are important to different segments but we have to look at public safety for the Radio Project and Old Farms Road Project.

Mr. Bernetich questioned if we received anything back from the Board of Education on this. Chairperson Maguire responded no, but she will be asking for a reaffirmation on that. She shared some of Senator Witkos' comments from last month's Council meeting. She does not want to give up on the State; we went in asking for \$2.5 million but maybe if we rework our numbers, breakdown the scope of the project a little bit and ask for less or try different grants that can work; that will be a piece to look at before our next meeting. She quoted, "He noted that it better our chances as a community if there is some private fundraising that goes on as well, shows the want from the community, citizens to write letters of advocacy to Secretary Barnes at the Office of Policy and Management (OPM) as OPM and the Governor determine the agenda as to which projects get picked or not." She commented that Senator Witkos highlighted that in the past when a lot of these projects were awarded they went to different caucuses and the caucuses picked the projects but now the money is being controlled by the Governor and it is a little bit harder to get these projects through, he did mention some grants that were a possibility and an avenue we need to pursue and look at the scope of the project; he mentioned that we were better off going towards three separate funds/grants where money may be authorized and the Governor picks; they are anxious to work with us so if we can get communication going with them and look towards these possible grants and then rethink how much we are asking the State for; we might put ourselves in a position to do a little bit better. She thinks one of the concerns is we

have a big project here and if we take that to referendum it won't pass, not unless you have something else that is going to say that we have State funding, we have so much to behind it; that is the concern that a lot of us have so finding a way to get additional funding and get a lot of community support behind it is our best way of getting a referendum to pass.

Mr. Stokesbury commented that our conversation is about our fiscal role; the Town Manager has highlighted that through our conservative fiscal approach over decades we are in a situation where the Town has approximately \$22 million of outstanding bond debt that will be retired in ten years; we also have obligations to the Post Retirement Pension Fund for a now long sunset Town pension plan and those contributions are set by the actuaries every year and we have been meeting or exceeding those requirements and that is set to burn off in FY 2027/2028; we are just killing and trying very hard for decades to control costs. He noted that to Mr. Mazur's point we have a significant number of Town buildings that are in really good shape; we have done roofs, HVAC units, we are doing the Town Hall complex now; we are not facing what our big brother to the south is facing which is a \$100 million school renovation project that is transformative to their tax base and their tax bills. He noted that as we look at these expenses it is all about timing and the mill rate; as we look at them some are more important than others to different people but we have the benefit to schedule some of these things. He noted that for the Old Farms Road Project he would like to see the State in the ground on the bridge project to know that is happening before we start making improvements to intermediate sections of the road; we were told so far the project is on track for the State but he would like to see a little more progress in that regard. He noted that as we look at these expenses we need to make sure that the mill rate is affordable to our residents; the Town Manager talked about all of the pressures on the mill rate, from loss of funding from the State, perhaps reduced valuations on our real estate; we need to keep it affordable for everyone that lives here, that is our job; we need that in the background all of the time.

The Town Manager commented it is not just the debt service particularly for the field; as we learned, going through a very extensive design development process, the turf itself has a fairly limited life cycle that is a function of the amount of use that it is getting and we were told to expect a shelf life of between ten and twelve years. He added that it is important to keep in mind that it is a \$1 million to replace that one playing surface; that is not something you ever want to bond, not something that you want to do on a "pay as you go" basis in the last two or three years before it is due because it will suck up all of the capacity in your cash capital program so should this project go forward it is not only the debt but we also have to start saving for the resurfacing of that field when it is due ten years out. Mr. Pena commented like we have done for other projects as well just in capital. The Town Manager added that assumes the infill material we continue with is the acrylic food grain coating; when he was in front of the Board of Education in December 2016 they raised a concern about that material and wanted to have another conversation before the project ever advances so if we get into a more exotic infill material like coconut or cork the life may be less and the cost to redo it may be more.

Chairperson Maguire thanked those in attendance for waiting patiently and hopes the conversation was beneficial; we want to hear what you have to say, we know you want a turf field.

Maria Mascoli, 9 Tall Wood Hollow, thanked the Town Council for adding the item to tonight's agenda. She thinks it will be beneficial for more members of our community to get a better understanding of where we are, to understand the latest status and ask more questions; many of us were not able to be here last month when the State representatives were here so this will be very advantageous for us. She commented that most everyone knows Avon is one of the few remaining towns in the CIAC not to have turf fields and which poses many disadvantages to our teams at the high school; many residents have been following this project for nearly ten years some of us are in the room tonight; while many supporters and potential private donors are no longer in the Avon area or at Avon High School there are still a solid group of parents dedicated to helping rejuvenate this project. She agrees with Senator Witkos' recent recommendation that the Town needs to work with the State and the residents together to bolster our case. She noted that we have definitely come a long way over the last eight to ten years, as we all can agree it has taken some time but we definitely have come a long way which is very exciting and we are so close. She had some concerns – after not hearing the updates on the latest accepted plan for the two turf fields at Avon High School for many months especially over the fall season it was very beneficial for members of the Booster Club to hear Mark Zacchio deliver his updates in January; additionally it has been very helpful to learn more about the recent developments through the Town Manager's January 2017 letter to our State representatives conveying that the Town Council and the Board of Education have agreed on the Avon High School turf project; it has also been helpful to read our State representatives' request for appropriation on the bond agenda for the OPM in January 2017; it has also been helpful to read the Town Manager's follow-up letter to the OPM in May 2017 and also reading the minutes from last month's meeting that you have the web site where our State representatives spoke. She commented that at last month's Town Council meeting Senator Witkos referenced the Town Council could apply for three different sums of money which is what Chairperson Maguire was referencing that are available for this type of project. She asked if Senator Witkos has written those two letters for the other grants and has the Town followed up on these as well. Chairperson Maguire responded that she did not know about Senator Witkos and for us it has been a short month and we have been working on the budget; that is why this was a good thing for us to get together tonight and get these things moving. Ms. Mascoli asked if Council anticipates this happening in the next couple of months and what is our relationship with Senator Witkos on his suggestion and how do we follow through. The Town Manager responded that our relationship is excellent and this is nothing new; whether it was Brian Becker before Derek Slap, Tim LeGeyt, Kevin Witkos, they have known about this request since we started down the road of appropriating funding for design development for the project; they know what we need, they know what we are looking for which is up to \$2.5 million – we'll take less and he has always made that clear - and it is up to them to run with it and get these projects on whatever agenda is necessary for the appropriation; the most likely agenda is going to be the Bond Commission and it is very hard to get on their agenda because the Governor controls it and they are really limiting bonding at this point at least for projects like this, for State projects it seems like everything is pretty much as usual. He noted that we continue to talk with all three of them, have a very good relationship, they know what Avon is looking for, they have delivered in the past because this is a very similar model to what we used when we did the Library Project; Derek Slap wasn't around then but it was the same team with Kevin Witkos and Tim LeGeyt and Brian Becker. Ms. Mascoli questioned if it would be helpful if residents wrote letters. She knows that has been recommended a lot over the last few months but specifically for them to follow through with these two additional options that it sounds like have not been pursued. The Town Manager responded that he has spoken to Kevin

Witkos about this offline who was very clear about this at the meeting last month, it will be tremendously helpful to hear from people other than Town officials on this; he needs to hear that there are residents in Avon that want to see this happen and to date he does not think that has happened. Ms. Mascoli clarified that it would be specifically for these other sums of money that are available. The Town Manager responded that it does not need to be specific to the sum; that is their job, to figure out what they have the most likelihood of getting; what needs to go from the public to your State representatives is that we understand that the Town has requested State assistance with this project, the Town is willing to contribute some funding to the project, we the residents want to see the State contribute as well. Mr. Stokesbury questioned if that should go to the Secretary of OPM as Senator Witkos had mentioned at the last meeting. The Town Manager responded that the letters should go to the three State legislators and let them do the leg work. Mrs. Maguire referred to last month's meeting minutes and Senator Witkos recommended citizens to write letters of advocacy to Secretary Barnes at OPM and the Governor. The Town Manager responded that most important is to get it to the legislators. Ms. Mascoli also noted in the meeting minutes that the Town Manager had suggested a field trip to visit Secretary Barnes to ensure the project is front and center. The Town Manager responded that we have not done that in the last month. Ms. Mascoli asked if he foresees that might happen sometime early spring. The Town Manager responded yes, he will probably see Secretary Barnes at a meeting next week but we will do something more formal as well. Ms. Mascoli commented that if we are not so fortunate to receive any State funding in the next few months, you are feeling this will not go to referendum in May. Chairperson Maguire responded that May would be really soon; one of the things mentioned by Senator Witkos as it gets closer to election time you might see funding happen then. Mr. Stokesbury commented that the budget legislative session ends in May. Chairperson Maguire commented that she would like the Town Manager to come in with some tax impact numbers and get a better sense of where our debt is and she will put this item on the agenda next month, we can put it on every month and come in and have a meeting of the minds, give a little update of where we are, what field trips we took, and try and get closer to a solution. She does not foresee a referendum in May; let's look at the numbers in April and see what we can do. She noted that we need to revisit the scope of the project, especially if the heavy lifting is going to be done by the Town. Mr. Stokesbury commented that Chairperson Maguire eluded to the Board of Education and we have had change over on the Council and on the Board of Education through administration at the High School and for the District and we need some feedback from them as to the scope of the project. He commented that everything has changed in the last couple years now that we have other matters to attend to for them as well and we need some sense where the Board of Education is. Chairperson Maguire asked the Town Manager to send a letter to the Board of Education seeking a reaffirmation or if they have any issues or concerns that may have come up since we all last met in December 2016. The Town Manager commented that if, and it won't, a referendum were possible for May and it were approved this construction season is booked; we have the new fields that are going in at Fisher Meadows which we are doing in-house to save money and is a very significant undertaking; we have about \$670,000 coming online in capital funding for school security projects which he is sure Public Works will have an instrumental role in working with the Facilities Manager at the Board of Education to spend down and implement; we have the work at the Police Department that we need to continue forward with; we have at least two fairly significant paving projects at Paper Chase and Hurdle Fence; and we have a significant amount of work that we have to do to comply with the State's new MS4 Stormwater Permit Program which is a lot of work for Public Works and Engineering who for the synthetic turf field would be intimately involved with

developing the bid documents and awarding contracts and overseeing the work onsite for this project so for us to absorb a \$2.5 or \$5 million project at the High School this year we would really have to re-evaluate all of our build out plans for this coming season. Ms. Mascoli commented that might be some speculation that the Board of Education might not completely 100% support this right now because it is the High School parents' sense that the Board does accept this is and it is now in your hands. Chairperson Maguire responded that we want to know that they are 100% behind it and more of a formality than anything else. Mr. Stokesbury added that all we have talked about tonight are changed circumstances; maybe there are changed circumstances on the Board of Education. He noted there were members present in the audience but he was not asking them to speak on it but an appropriate question to ask. Ms. Mascoli questioned if that is a conversation that could happen soon. Chairperson Maguire responded that the Town Manager will send a letter to them; a formality to make sure that they are in step and support it; it is their school and want to make sure. Mr. Pena noted they are partners of ours; we did work with them from the very beginning and it is good to go forward but need to make sure that we are all on the same page; we are not saying they have changed their mind. He noted that as Mr. Stokesbury eluded to we have new members on the Council here and they have new members on the Board of Education so he thinks it is a good idea. Chairperson Maguire added that there is a new Superintendent which is very significant. Ms. Mascoli commented that the Recreation and Parks web site could be a great resource for residents; it has a lot of older, historical links on there and would it be possible to continue to post the turf updates so residents could see what the updates are; it would be a valuable tool and probably save a lot of e-mails too. She also noted that in Council's minutes from last month's meeting she was reading a lot of communications, she knows a lot of folks are concerned about fill and read that there was a suggestion that the Board of Education and Town Council start joint, formal discussions on the turf material. She asked if that hasn't started yet, could that start happening now so when we have our funding that those conversations have already transpired and agreement on the fill. Mr. Stokesbury responded that is a staff project; we have a new Superintendent starting in about three days, School administrators, Town administrators; he thinks that is a discussion for the professionals to have; he does not know what the latest data is on infill. He asked if we go back to the consultant to get any update; it is a valid point. Ms. Mascoli commented that there has been recent recommendations for the Board of Education members to jointly talk with concerned Town Council members and wonder if that can be done now as opposed to after that wonderful day where we receive the funding and we have it all set to go so it doesn't hold us back. Chairperson Maguire responded that she understands; one of the things that was always mentioned was that the fill would be a game day decision because technology can change and keep evolving and improving so the conversations can go on. The Town Manager added that discussion was had in December 2016, the issue we would have here is that he has no funding available on any purchase orders to re-engage our architect and that is what we would have to do. He noted that we had BSC Group, they are the subject matter experts and know what is going on with the materials and whether it is he and his counterpart at the Board of Education or Town Council and the Board of Education, you have to have an expert. He noted that it is quite possible depending on what we need for the administrators to make a recommendation on that he may be back for more money. Chairperson Maguire responded to see if we can take a look at that but could be something that would keep evolving and improving.

Ally Folkwein, 44 Buttonwood Hill, commented that she finds these meetings maddening, frustrating, and sad, and the killers of hope for her for a lot of time; she has been coming to these

meetings for not one year or two or three or four, but many years; when she first moved to Town in 2008 they rode around with a realtor and she wanted to see where everything was in the Town – show me the schools, the stadium and noted she is from Virginia – and when they arrived at the High School she asked if this is where they practice or where the JV game is and the realtor said no, this is it. She noted that over the years she has seen this field get used and abused and have talked about how to make it better and the only way to make it better is to turn it into a turf facility and says this only because year after year and season after season and all of the fields at the High School are not properly maintained and knows this to be true because the fields themselves cause injury to our children. She mentioned a Council member's comment about keeping everybody safe; they are playing games on these fields, they are having season ending injuries with surgeries with months of recovery, tearing ACLs, MCLs, or having severe ankle injuries and not because they are playing the game but because they are stepping holes, divots because the field are not properly maintained, there needs to be turf; she understands there is a money issue, there is never not going to be a money issue, she understood that this year, last year, the year before; to her this becomes something like when is the right year to have a baby and at some point you have the baby and realize the baby is expensive, it doesn't matter if you have the baby at twenty-five or thirty-five; she goes to Costco and it maddens her how much money she spends on her kids and she loves to do it but would have never imagined that and if she would have said not this year. She commented that we come here and talk about the money situation and while it is the appropriate thing to think about she can't imagine there ever being a meeting this year or next year where money isn't going to be an issue. She knows that our kids are going out on these fields and hurting themselves and other teams from other schools are going, "I don't know if I want to come play you on these fields because they are not safe and our kids can get hurt." She added that during the actual games refs have had extended time outs to try and fix the fields during the game because they have become such a safety hazard and so poorly maintained. She is not trying to be offense and apologizes for that but she feels like we come here and have these discussions...2018, 2015...there have been times where there have been so many people interested in trying to help and fundraise that we had business cards made, there was a web site, we had meetings-small and big groups and that has since gone away because she thinks people start to lose hope after time and she does not want people to lose hope. She noted that her oldest son graduated in 2015, she has a junior and a freshman; she does not think this is going to happen while they are there, she hopes it does, she wants it to but she does feel like it will. She does not think this is something you can continue to push off year after year after year and keep revisiting the same topic over and over again. She noted that not everybody here wants it; we have the crew from Sudbury; we want it, we don't want it, here is why it is not a good idea, but nothing keeps happening with it; the wasting of time is not good; the money is always going to be an issue, there are always going to be some people that don't like it; the State is definitely in dire straits and does not know when that will ever right itself; we are dependent on the Town and you just need to keep putting positive out there and pushing forward because our kids deserve it and don't deserve injuries just from running around on the field. The Town Manager clarified that it is not the Town that maintains those fields and certainly hearing the feedback from the audience he will pass that on to the Superintendent; he is sure they are aware of it as it is; they know there are some issues that need to be dealt with in terms of maintenance.

Christine Winter, 191 Cold Spring Road, commented that she is sorry to hear about the divots and holes in the fields and yet she is hearing that to plan for a replacement of the artificial turf field after an initial huge investment there would be \$100,000 a year needing to be banked to get

ready for when it needs to be replaced. She is wondering how much it would cost to maintain the fields that we do have at this point; \$100,000 sounds like a lot of money. The Town Manager responded that is a Board of Education function. Chairperson Maguire responded that we will find out and she will send an e-mail to Ms. Winter.

Julie Tacinelli, 212 Cold Spring Road, commented that she would vote against a referendum for a turf field in its current form with the encapsulated rubber. She understands the Town's pressure to provide athletic facilities that are safe and up to standards and competitive with other towns but to her it is not worth the risk; there is a lot of concern about health, safety, toxic run off, cancer, bacterial breeding ground, heat hazard, environmental run-off; supposedly there is evidence that turf fields increase concussions and ACL tears. She is not an expert but from what she has read and from what a lot of other towns have done and even what the federal government, Blumenthal, who said don't put in turf fields until this big huge federal study has the results and unfortunately could be years away; right now we don't know; we do know Hartford banned using crumb rubber and petroleum based turf and was the first update in zoning regulations in fifty years; the State legislature last session, two committees said they would prohibit the rubber from recycled tires, it was approved by those two committees and it just never got taken up by the full legislature. She noted from the presentation for the Town's consultant, "should crumb rubber ever be deemed hazardous infill can be removed and new infill can be installed" - so that is good and they are offering this in case kind of version which is medium-bad version which is what North Haven did, Hamden went with cork and coconut, South Windsor went with acrylic coated sand so people don't know. She would rather until we know and maintain the fields properly if that is an option or would rather go with a material that doesn't have crumb rubber, encapsulated or not, and she knows it cost more and doesn't have the same benefits. She wants good fields, good athletic facilities for the kids, but at this point she errs on the side of it's not worth the risk until these studies come out and we really know.

James Beaudoin, 18 School Street, commented that much like the woman whose children are playing on this dilapidated field, his kids are eight and six; his son plays soccer for Avon Soccer Club and they got invited out there in the fall to do the year end game, walked the kids out to the field and the first time he had been to Avon High School, he's been here for three years; he walked around and said this is it, this is our field, first impression was whatever; we got a chance to go out there with the kids at halftime to play around a little bit, the divots are there, the field is wrecked, it is destroyed, they have a portable light, he knows there is a light pollution issue, and he thought he moved here so we have great education, schools, teachers, Board of Education, all of the Boards and all of the people that are involved in our town are great people. He is for this field because his kids will be playing there someday, your kids are playing there now, and my kids can hopefully be playing there someday. He noted that his background is that he is a material transporter with his brother in Southington and they have a contract to haul tire shred from a facility in West Haven Connecticut to a crumb rubber manufacturer in Albany, New York. He is only here tonight because a friend of his invited him to come and listen to this stuff. He knows there is a lot of concern about cancer causing agents and a lot of things that people speculate on; you read all of these things on the web sites and at the end of the web site it say-but none of this stuff is proven, it could cause cancer, it could cause all of these horrible things. He noted there are a lot of pros to it and he is not here to sell on that crumb rubber but when you talk about g-max ratings, impact ratings, things that cause more concussions; most concussions are head to ground, not head to head, eighty-something percent of concussions are caused that way;

the g-rating on a field made with crumb rubber, he does not the specifications on this; there are different ratings for the way they construct the stuff but it is lower than grass turf. He noted that this company in West Haven takes in ten million tires a year to shred; they separate it into three categories – C category is tires that are shipped to third world countries, B category is off road activity only, off road tires, big truck tires, machine tires, tracks on excavators, and A category tires get shredded for the purpose to go to a facility in Albany, a road worthy tire in the USA, no Asian influence which is a big deal because of what the environmental impacts are in Asia with the less standards. He noted that the company he works to haul their material only uses the Grade A material to make their product; you can make a tire crumb rubber by a couple different ways- you can keep cutting it to a certain size which doesn't do anything to preserve it or encapsulate it; the way this company does it is they cryogenically freeze it to 190 degrees below zero and break the rubber, smash it into a certain piece size and that encapsulates it and prevents the release of PHs, VOCs, and all of those nasty things that cause cancer. He noted that the State of Connecticut with State funding requires double encapsulation and even if we don't have State funding we should probably get double encapsulation which is the coated material; it is more expensive but not as expensive as coconut beads and cork. He was just trying to shed light on the manufacturing process and that type of thing for people who aren't informed. He is at the mill once a month before they take any tires watching them get cut into two inch pieces with a \$3 million machine, trucking it themselves ten loads a day to Albany and they are processing that stuff as fast as we can bring it in, they go in these 2,000 pound sacks, they go to Gillette Stadium and all of these places and that's the material they use. He is not trying to sell their material but hopefully we are buying the stuff that is going to keep our kids safe and everything else. He commented that as we are sitting here we need State funding, everyone wants to write letter to Senator Witkos, etc. and asked how we are getting that off the ground. He had an idea for people that want to sign a petition or donate money. He just went to GoDaddy and got the domain name avonturf.com, he is going to setup a web site, it was \$14; it is a problem; we can't sign/promote, no one wants to write letters or send an e-mail well here's a site, go to the site and fill out the information; he will get it up and running in a few weeks hopefully before the next meeting; someone has to take a little bit of initiative, it's going to make it easy for these people. He is not a web designer, he will find someone who can do it for him; he wants an online petition and a spot where you can donate money. He is going to pledge a \$1,000 as the first donation made. (Applause) Chairperson Maguire responded that many years ago we had a group called ACORN who are no longer active and that was the grass roots effort that made a lot of things happen, tennis courts, playgrounds, track; they did a great job and she has a good feeling and glad we had this meeting. Mr. Beaudoin repeated avonturf.com.

Peter Bourquin, 46 Tamara Circle, commented that he thinks everyone would benefit from knowing what every other school in the area is doing; we have thirty-two teams in our conference, outside of Rham we are the only ones that don't have turf with lights, and the Hartford schools who are in a much different financial situation; outside of South Windsor they are all using the typical rubber stuff. He has not heard of one issue with any of them. He was at CCSU when they unveiled the first field turf in 1998 and replaced it in 2016 so they don't always go in ten years; Simsbury just replaced theirs after fourteen. He has not heard anything. He has been coaching on turf fields since 2004 and have not had any issues or have not heard one complaint from a school. He referenced the comment made that this might happen but there is not one credible study that have said anything like this. He noted that the advantage of the turf fields will add so much to our Town in a lot of ways; we have the worst outdoor athletic facilities

in the conference; it's that simple, it's not even that close, it's not even debatable. He noted that Rham in Hebron has a press box; we don't have that; we don't line our fields; we are out on a football field, there are no numbers or lines; where do you start. He understands that the finances aren't great; would have been nice if somebody would have, back three to five years ago when we had State funding, jumped on the process then; now here we are five years later. He noted that these are our school facilities; every high school in the Valley has turf; Canton and Granby have turf, much small towns, they found a way; we are here discussing it. He questioned if we have even finalized which plan we are going to-Thompson Brook or the High School. Chairperson Maguire responded the High School. He responded good; that is the one he liked better anyway and where it should be. He commented that it doesn't appear right now we are going to be moving forward in the near future but we will continue to have the worst outdoor facilities in the conference; inside we are fine. He has a son who is graduating and will never see this; he hopes maybe people that freshman down to 5th grade, maybe in five to seven years that will happen, that their kids can use a turf field and don't have to worry these divots and when it's raining they won't slip and fall in the mud; maybe we will get turf and lights so we can play soccer at the High School; we can play a high school game at night in September and not have to play in 88 degrees and have a kid with heat exhaustion; he sat in a hospital six hours with a kid for heat exhaustion because we had to play a game in 90 degrees; that doesn't happen with turf and lights, you play at night; these are concrete things that other schools don't worry about doing. He repeated that is not debatable; we have the worst outdoor facilities and it is the hope that with people here who get together with your help that we don't have to be the school that has the worst outdoor athletic facilities in the conference; thank you.

Mary Deppe, 35 Westland Road, commented that our infrastructure is failing in our Town and we really need to build it up and maintain it because it is impacting a lot of things – people not moving in our Town and instead moving to surrounding towns, impacting everyone who's in this room property values, Avon residents are choosing to go to private schools and heading out of Avon; Avon High School has the potential to be a great place, has a good reputation, and really hurting things with not keeping up and building up the infrastructure. She noted that the Town has the need, you have the support; it is frustrating hearing that you're saying we need to see more enthusiasm; we all know each other from being in this room from all of these different years, many of us, and a lot of us have kids that we thought were going to be playing on the fields but will probably never see the fields as we now have some kids in college and in later years of high school. She commented that the plan is done, it is shovel ready, the location is there and it just keeps getting pushed back on us, the people, to fundraise and try to get money from the State, but what you guys, the Town Council, what can you do for us and the Town. She commented that Kevin Witkos said at the meeting last month that the Town should request letters for the other two sums of money and once the Town Council sent those letters then the rest would send their letters so her understanding from the minutes is that the Town Manager or Town Council needs to send the letters in order for Kevin Witkos and his fellow peers to send theirs and then possibly the public can start doing things too but we really need you guys to lead.

Susan Rietano, 11 Edwards Road, clarified, as she was at the last Council meeting and spoke about fundraising and is President of the Booster Club and knows a lot of people expect the money to come from us, that the feeling she got from our constituents wasn't that there weren't people willing to contribute but that the feeling was that people didn't want to contribute to the basic infrastructure; they were willing and interested and enthusiastic about contributing to the

add-ons like the press box, lights, etc. She trusts Council because they know far more than she the finances with this and some of you have been involved in other big capital projects like the Library for instance and she knows the feeling on the Council is that if this went to referendum it would not pass. She questioned the risk in putting it out to referendum and having it not pass; is there a certain time period it cannot be brought to a re-referendum; many people are concerned about, can we just let the people speak. She questioned how confident is the Council that it would not pass. She noted that when Mark Zacchio spoke to the Booster Club he made it very clear and he was part of the Council for a very long time. Ms. Rietano questioned that just asking for the money flat out is not an option. Chairperson Maguire responded that she thinks to walk into a referendum without State funding it would fail; there are costs involved having a referendum; there is overall a negative feeling; if we are putting something out to referendum we want it to succeed; it means we stand behind it and we support it and we have to sell it to the whole Town and that is going to be a challenge without having the State funding; if we look at the numbers next month, then we are going to have to go to the people, we'll have to have a meeting, a public hearing and have to talk about the tax impact of what this referendum would be; it is all going to be out on the table and then the residents decide but we are jumping the gun; it potentially would fail. Mr. Stokesbury commented his wife was involved with the Library Project, he was on the Board of Education at the time. He noted that Mark's example of the Library is very important to consider; roughly, it was a \$9 million project, \$1 million from the State and expected \$500,000 from the Friends of the Avon Library that was overfunded at \$1 million so the referendum was for \$7 million and this was for a widely used asset for the entire Town; many more people use the Library than would directly use these fields other than our children; it passed by hundreds of votes, that was a much better economic time, completely different scenario and fiscal outlook; first we need to decide what the project is, meaning how much we are asking for, is it \$2.5 million that has been the Town's plug for many years, is it \$5 million for the entire base project; every dollar you ask for as you increase it you decrease the chance of it passing at referendum; there is a possibility that if the ask is low enough it doesn't have to go to referendum but can go to a Town meeting. Ms. Rietano asked what the threshold is for that. Mr. Stokesbury responded about \$2.65 million. He noted that there are reasons why we are asking questions about what the scope of the project is; we need to have a project that if we are going to spend the time and take it to the people that a) we support and b) is supportable; we have to show the impact on the Town budget, on the average taxpayer, how it is going to fit with radio towers and road projects and fire houses and potentially other capital expenses; the Fire Department is always a capital heavy department; there are a lot of moving targets, we have talked about how blessed we are to have some flexibility in our budget in our outlook on capital and bonding funds; we need to regroup, look at what the project as a whole is viable in today's new economy, today's new outlook and find out the best way to make it happen; it may not be the project we all talked about and got shovel ready a year and a half ago, if it is we have to figure out where we get \$5 million; it is a lot of money. Ms. Rietano questioned if Council would reconvene that planning committee or would you look at the drawings that were established and approved and look at scaling that back; there were different iterations of the drawings. Mr. Stokesbury responded that we have a final approved shovel ready design, although it needs to go through the zoning process and is cognizant that we don't want to just start over again; there may be ways of taking that \$5 million and cutting it into slabs and phase it in over time; there are a lot of different options for us to look at as we continue to figure out what the project is in the current economy. He is fairly confident that if you ask Town taxpayers to support a \$5 million request for that project today it would not pass; that is his personal opinion.

Ms. Rietano commented that if we only had a \$2.6 million project it would not have to go to referendum; it could be a hand count vote at a Town meeting. Mr. Stokesbury responded he's not sure hand count is technically the right term but it would be at a Town meeting. He added that we have a lot of projects we are looking at, we have to see if it is appropriate to take it that route but that is a possible route. Mr. Speich asked to let Council do their homework on the debt ceiling to see where we are and how much we can afford instead of saying what does \$5 million look like and how we stage it out. Mr. Pena commented there are a lot of factors that go into it; there are so many projects that the Town may or may not need that we have to look at the whole scope of the Town and not just a single one. He agrees that if we had to take it to referendum on strictly our Town money he does not think it will pass; it has nothing to do with the project itself; many people refer to it as a school project which that sometimes might not help us and also too that it is \$5 million, maybe a \$2.5 million would be more digestible but give us and the Town Manager time to look at the whole scope and what we are doing today and what we have to do in the future and thinks that will help us tremendously. Ms. Rietano questioned if we could look at the State money as the add-on money; that we don't count on it. She noted that she is not comfortable asking the State for money for a turf field when so many other towns have much more pressing needs in an economy that we have right now and a State in the financial situation it is; if we look at that as being a windfall or some type of add-on and looking at how we can build the field in whatever iteration we decide with Town money and perhaps some generous donors. The Town Manager commented that he does not know what our Financial Advisor's schedule looks like over the next month and this is not something that is simple for him to do but he will do his best to work with him to turn this out but there is always the possibility that he won't have it for next month. Chairperson Maguire responded that she understands but what we can do is get letters off to Kevin Witkos and OPM and try and schedule a meeting to head into Hartford and get reaffirmation from the Board of Education and let's take a look at the scope of the project. Ms. Rietano questioned if it is possible to price it and see what the alternative fills look like on a cost per field basis. Chairperson Maguire responded that we have a 15% contingency to adjust for the fill. Mr. Stokesbury commented that was one of the items under the contingency but clearly we do not know what the fill will be. Ms. Rietano questioned if it is a 15% spread for the coconut fiber versus others. Chairperson Maguire responded no; that is something that we would have to look into. The Town Manager responded that what he is going to do is not going to be that sensitive; it is going to be take \$2.5 million or take \$5 million and how it will be broken out.

James Beaudoin, 18 School Street, questioned the breakout cost of the in-fill. Chairperson Maguire responded not tonight. Mr. Beaudoin just asked his guy in Albany how much cost for double encapsulated crumb rubber for a football size field, roughly and the product itself is about \$74,000 to coat the field one time that will give roughly ten years. He commented that we have to know this stuff. The Town Manager responded that there was a very intensive planning process that went into this, there was a Committee consisting of the sub-committee of the Recreation and Parks Committee with a couple of other stakeholders being the abutters that were involved and there was a professional architect from BSC who went through all of this, had about nineteen meetings, drilled into all of the different cost estimates, they did all of that homework so it exists. Mr. Beaudoin questioned where that information is; are the breakdown costs on the web site. The Town Manager responded that he doubts it but if you want it you are welcome to call and he can find it for you. Mr. Beaudoin responded that he would love to have

that because for \$75,000 we can get all of that crumb rubber. Mr. Speich commented to make sure you understand what is involved with it.

Sarah Roberson, 24 Sudbury Way, commented that she was on that Committee and she learned about crumb rubber and coconut so there is a lot more to it; it is not just \$75,000. She noted that the \$100,000 per year is escrow; we were told to bank on about \$1 million so the total scope went from one field and some things to \$2.5 million to two fields and a lot of different things; we lived it and were there from 6:30 to 8:00 a.m. every morning and we were committed to finding the right solution. She is not an expert but they really tried to find the right path.

Susan Reboul, 23 Sudbury Way, commented that she did not realize there were all of these projects on the horizon; she is not for or against one or the other but as a family who is facing the college years and three astronomical tuitions taxes matter; if she is voting she is watching her bottom line; it is not an open checkbook. She appreciated tonight the understanding that it does matter to people in Town and we don't always feel we can say taxes matter because these projects are all good and flashy and have a positive impact but the sky is not the limit; fiscal responsibility does matter and it matters to more than just her; if things go to referendum she is watching closely as to how the dollars are coming in, how they are being spent, and does that \$5 million sound reasonable. She may love the project, she hates the price tag and that is all there is to it, whether it is a fire house, whether it is this, whether it is the land over there. She noted that as we think about where Avon is headed she does want Council to continue to think about the mill rate and the taxes because she is not the only one with three tuitions. Chairperson Maguire responded that we have a lot of homework and will keep plugging away at this; she does not mind putting it on the agenda again next month even if for a five-minute update and let's look at this as a partnership; we want it to work for everybody.

Lorenzo Lamadrid, 49 Tyler Court, commented that we moved here twelve years ago, he grew up in Miami, Florida, attended the University of Notre Dame which is still a huge football school, he works in sports television so he sees first hand every day the value that sports play in the community whether it is professional teams or college or high school or younger than that; it is really important, we moved here twelve years ago, moved to Austin, Texas for a job transfer about five years ago and they could line up around the block to donate millions of dollars to put their names on a high school stadium that seats thirty thousand people; he get it that they are bigger towns but there is so much passion and pride in these towns that people want to support it. He hears that it is expensive and we want to be fiscally responsible but by not doing this he believes that we are depriving a generation of kids, a high school experience and memories that they just won't get.

Terri Ziemnicki, 2 Halwood Drive, Granby, Field Hockey Coach at Avon High School for the past thirty-four years and grew up and lived in Avon for thirty years, commented that as a coach and hearing what officials and all coaches around the State, we are the joke; we do not have the facilities and she is here for the hundreds of girls, some sitting right here, that she coaches and tries to give life lessons and we are so far behind; she has sat in on these meetings for the past ten years in hopes to give our athletes what they deserve; officials and coaches cannot believe that Avon does not have turf and it is the same old story. She wants it for her girls and for them to have the experience and commenting as a coach.

Valerie Dibella, 33 Kingsbridge, commented that she grew up in Arkansas where football is a religion and whenever they moved here seventeen years ago it was sort of the same thing however what she sees here happening at school is not what is happening in three-quarters of the rest of the country in terms of the facilities that we have in terms of sports here; when you go to Texas, Virginia, wherever, you see kids that are camping out, hanging out at school outside and are within their respective practice of whatever sport it is that they are participating in but it invites a certain atmosphere when you have a field house, a nice field, great facilities, that kids actually want to be there; we don't really have a lot of things that can keep our kids out of trouble and if we have nicer facilities, have more resources like our gym which we talked about in our Booster Club meeting, resources for our kids to use that they want to go and want to be at school; it is a great communal environment that hopefully will further down the road keep our kids out of trouble because right now we know there is a huge epidemic in this country regarding opioids so if we can provide those resources, provide nice facilities that kids want to come and want to use that hopefully it provides a safer alternative for them. She noted that she always talks about community; people move to towns because of schools and the education, the sports and the education and obviously proximity to work and other factors but most importantly if you have kids, for school. She added that she has had family and friends come here who hear Avon is a great town, but say this place is ridiculous; it is not just from people that are coming here for sports, it is people that say you pay what for your housing, your taxes, that is disgraceful. She knows our State is in dire straits right now and she thinks the whole country knows that but in order for us to recoup the property values it has to start with our infrastructure and it has to start within our schools because people want to move here for their kids, they want to go somewhere that their kids are going to get a great education and also to have an environment so they are learning from coaches like Coach Z and also to experience what they experience in Texas; these kids, they don't know about homecoming, they don't know how to socially interact so if we are always complaining about stuff like that we need to provide the foundation so we can then offer the resources and try to bring in some of those traditions that the rest of the country experiences that these kids have no idea about that are life-changing and transformational. She asks that it be a strong consideration and yes it is a lot of money but there is nothing more important than bringing up people who will run our country one day.

Chairperson Maguire commented that we have done a lot of talking about the turf field, stay tuned, we will do some homework on our end, and we will see you next month.

17/18-24 FY 18/19 Budget Development

Chairperson Maguire reported that Council met on Saturday for six hours; we came to a budget number and the Town Manager got it down to a 2.48% increase over last year's mill rate which we were looking at a 2.52%. The Town Manager commented that the Assistant to the Town Manager did the heavy lifting with the budget numbers; we identified about \$105,000 of reductions, we had to add back about \$18,982; very bottom line you are looking at a reduction to what was proposed of about \$86,000 and that reduction was enough to shift the mill rate increase from 2.52% to 2.48%. He noted that total expenditures all funds we are at 2.21% over FY 18; on the Town side with the Special Revenue Funds we are 3.87%, General Fund only we are at 2.43% and brings us down to a required mill rate of 2.48%. He noted that one of the changes we did make in the operating budget is to move that police vehicle out of General Fund and plug it into the Special Revenue Fund so you will see an appropriation request come through for that.

Mr. Speich noted that \$10,000 was removed from hydrants. The Assistant to the Town Manager commented that it was level funded. Chairperson Maguire recognized Peg Colligan, the Town Manager, Assistant to the Town Manager, and the team because we for the thirty-third year in a row have received the Distinguished Budget Presentation Award from the Government Finance Officers Association; this organization looks at all of these budgets and this year Avon received proficient and outstanding in every category; it is very significant; it is also very significant in that only nine other towns have received this award and the only one that comes even close to our thirty-three is thirteen consecutive years; so congratulations.

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

RESOLVED: That the Town Council recommends the FY 18/19 Proposed Budget of \$92,919,694 to the Board of Finance as follows:

REVENUES

Property Tax & Assessments	\$	82,515,928
Intergovernmental		3,776,931
Licenses, Fees & Permits		1,032,675
Charges for Current Services		4,643,206
Other Local Revenues		520,761
Other Financing Sources (Uses)		430,193
TOTAL	\$	92,919,694

EXPENDITURES

Town Operating Budget	\$	25,029,441
School Operating Budget		59,383,115
Sewer Operating Budget		2,016,793
Capital & Debt Service Budgets:		
Debt Service		2,755,750
Capital Budget (CNREF, Facilities & Equipment)		3,734,595
<i>Subtotal: Capital & Debt Service</i>		<i>6,490,345</i>
TOTAL	\$	92,919,694

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

17/18-45 Appointment: Planning & Zoning Commission – Alternate (R-12/31/2019)

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

RESOLVED: That the Town Council appoint Jill Coppola as an alternate member to the Planning and Zoning Commission to fill a vacancy with a term to expire on December 31, 2019. Mrs. Maguire, Messrs: Bernetich, Pena, Stokesbury, and Speich voted in favor.

17/18-46 Appointment: Committee on Aging (R-12/31/2019)

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

RESOLVED: That the Town Council table agenda item 17/18-46 Appointment: Committee on Aging (R – 12/31/2019) to the April 5, 2018 meeting.

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

**17/18-47 Appointment: CRCOG Regional Planning Commission – Alternate
(D – 12/31/2019)**

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

RESOLVED: That the Town Council table agenda item 17/18-47 Appointment: CRCOG Regional Planning Commission – Alternate (D – 12/31/2019) to the April 5, 2018 meeting. Mrs. Maguire, Messrs: Pena, Bernetich, Speich, and Stokesbury voted in favor.

VIII. NEW BUSINESS

17/18-52 2018 Girl Scout Week Proclamation

Mrs. Maguire welcomed the girl scouts present to receive the proclamation. She read the following proclamation.

Girl Scout Day Proclamation

A Proclamation Celebrating 106 years of Girl Scouting

WHEREAS, March 12, 2018, marks the 106th anniversary of the Girl Scouts of the United States of America, which began in 1912 when Savannah, GA native Juliette Gordon Low gathered 18 girls to provide them the opportunity to develop physically, mentally, and spiritually;

WHEREAS, 1912 was also the year in which Girl Scouting started in the state of Connecticut;

WHEREAS, for more than 100 years, Girl Scouting has helped build millions of girls and women of courage, confidence, and character who act to make the world a better place; and,

WHEREAS, the Girl Scout Leadership Experience helps girls discover themselves and their values, connect with others, and take action to make the world a better place; and,

WHEREAS, through the dedication, time, and talent of volunteers of different backgrounds, abilities, and areas of expertise, Girl Scouts of Connecticut offers the Girl Scout Leadership Experience to more than 35,000 girls in grades K-12 across the state of Connecticut; and,

WHEREAS, the Girl Scout Gold Award, the highest honor in Girl Scouting, celebrating its 106th year, requires girls to make a measurable and sustainable difference in their community, assess a need and design a solution, find the resources and support to make it happen, and complete the project;

WHEREAS, core programs around environmental stewardship, anti-bullying techniques, Science, Technology, Engineering, and Math (STEM), and healthy living, help girls develop a solid foundation in leadership; and,

WHEREAS, today, more than 59 million American women are Girl Scout alumnae and 2.7 million girls and adult volunteers are active members;

NOW, THEREFORE, I, Heather Maguire, by virtue of the authority vested in me as Chairperson of the Town Council of Avon, Connecticut do hereby applaud the Girl Scouts of the United States of America for more than 100 years of leadership and expertise as the voice for and of girls, proudly proclaim March 12, 2018, as Girl Scout Day.

17/18-53 Contract Recommendation: Public Safety Radio Communications Tower

Chairperson Maguire reported that the Town radio tower needs to be moved, relocated to continue construction for the Emergency Operations Center; several bids went out in the beginning of February and we have a person that we would like to accept as the lowest responsible bidder, Timberline Communications in the amount of \$81,810. Mr. Stokesbury

questioned if Town staff has determined this to be the lowest responsible bidder. The Town Manager responded yes.

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

RESOLVED: That the Town Council award the contract to Timberline Communications, Inc. of Canton, MA, in an amount not to exceed \$81,810.00 for the Public Safety Radio Communications Tower.

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

17/18-54 Board of Education Request to Repurpose Funding from Avon Middle School Science Laboratory Renovations to Security Upgrades for Board of Education Facilities, \$667,412

Chairperson Maguire commented that this will go towards all six Board of Education locations. She believes they have been working with the Town Manager and Chief of Police and Myles Altimus to come up with a plan as far as what they are going to do, whether it be cameras or not; the money was requested in FY 15, FY 16, and FY 17 and the total amount is \$667,412. Mr. Speich commented that this is funds from the science labs, but in this year's budget you also have \$250,000 or so for security and then the following year you have \$250,000 or so for security; that's \$1 million and change. He questioned if that is all planned and can you use all of that money; it is not to say that security is not important but he is making sure that we are spending our money wisely. Jason Indomenico, Board of Education member, responded that the \$667,000 we think is an important expenditure on security right now; the other \$200,000 you spoke to in this year's budget there is always going to be security needs in our Board of Education buildings and he is confident that the administration has planned that out correctly and will spend that money on the security needs of the district; this was an opportunity that the administration recommended to us to make more immediate improvements right now; it will all be spent on security as budgeted and won't be wasted. Mr. Speich clarified that he just wants to make sure that you can spend \$1.2 million over two years on it. Mr. Indomenico responded that he was not given the impression that any of it was duplicative so it can be spent on security measures that the district has outlined. Mr. Speich asked what was going to be done with the science labs; he has been on the Council for a few years and asked about that probably four years ago. Mr. Indomenico responded that the unfortunate part of that project, \$667,000 was set aside to do that project and it turned out that the cost of actually doing the project came in around \$2.1 million; like most of the night it was spent talking about money. Mr. Speich responded that is our job. Mr. Indomenico responded that is all of our jobs. Mr. Bernetich questioned if that was for three classrooms. Chairperson Maguire responded yes. Mr. Bernetich questioned how large the classrooms were. Mr. Indomenico responded that he did not know. He added that the administration is always reviewing all of the buildings in the district; there are no immediate plans for those labs but will have to reviewed just like the rest of the buildings and the rest of the Middle School; as they stand they are suitable for the curriculum being taught in that building; can it be upgraded, yes, but at this point it is like what we have been talking about and you folks have been talking about tonight, prioritizing where we are at now and the situation we are in right now. Mr. Speich commented that it is not in the capital budget for the Board of Education; we see a plan that is five or ten years and did not see a science lab in there going forward. Mr. Indomenico responded that what happened here is this was the \$667,000 that in the past the plan was to use on the science labs but because of the financial constraints that did not work and will

have to be looked at again but over time things change and have to re-examine things. Mr. Stokesbury commented that he chaired the capital budget for the Board of Education for a number of years and we were very diligent in presenting a ten-year plan to the Town Council and Board of Finance for all capital needs; we just heard a discussion that their seemingly number one project doing science labs has dropped off that list completely, apparently without a lot of discussion at the Board level; it seems to him that project will come back; he doesn't think the need to improve STEM-based education has simply gone away in Avon; we have to find a way to pay for it but we owe it to the three boards to understand where that falls into the puzzle, where is that in the new reality of the Board of Education's capital plan; we need to know where it is going because if we are looking at using this money for security this year for some very good reasons but the Board of Education is going to come back next year and ask us to fully fund the science labs he has a problem with that. Chairperson Maguire responded that you have a new Superintendent starting and will start to see what she deems as something that needs to be taken care of goes into capital; we are addressing a safety concern that we have on behalf of the children and that takes priority so things may juggle around; will the science labs come back; that is a possibility but would end up having to be the Board of Education list that we'll address when the time comes; maybe they will figure out a better way to do it over there. Mr. Stokesbury commented that it is unrealistic to have an answer to that concern today. He noted that his second concern is the lack of detail about the request and some of that is based on the nature of the request having been on the other side as well. He noted that it is critical and doesn't know where our experts are in that; we have this concept that we need still more money to improve securities in the schools; it may be every year we need more money for securities in schools. He noted that he wants to make sure that we are spending the money wisely; it is implicit if not explicit that our collective experts have to approve the plan and not have it be generated by the Board of Education; just like every other capital expenditure he wants to make sure we are spending it wisely and following the best recommended protocols, statewide, nationally, locally, whatever it might be. The Town Manager responded that we are re-evaluating how we approach some of these security related issues, especially on the capital side you are going to see a much more interdisciplinary approach between Public Works, School Facilities, Avon Police Department, his office, and the Superintendent to make sure that everybody is on the same page and that we are prioritizing the projects in the most thoughtful way where we get the greatest return on our spend and from his perspective that requires significant and overriding input of our subject matter experts which are our Police Department and they have the training. He added that with this funding and keep in mind that this year and the FY 19 capital budget, the first request from the Board of Education since 2016 for additional security funding about \$200,000 so very quickly we will have almost \$900,000 and we are going to very carefully prioritize how that money is invested. Mr. Speich commented that he believes that you guys do, but as a person on the Town Council, he has no view into it at all, you come, you ask for money for security and he cannot even see what it is for whatever reasons and he does not think that is right and he would love to sit in on a session where you can show me your plan. Chairperson Maguire responded that might be better in executive session. Mr. Speich commented however we have to do it; he just thinks that is fair. Mr. Stokesbury commented that one of the challenges we have here perhaps is that the plan is not clearly defined yet and needs to be rapidly defined and assume there is a desire to have work done this summer so it is going to be fast tracked. He is prepared to support Town administration and expect them to do their jobs and they know what we expect but we need to be careful; everything else we talked about, it is about the mill rate, it is about affordability and accountability to our taxpayers and we need to be

able to tell them that it is money well spent and not just moving shells around and coming back next year for a science lab. Chairperson Maguire commented that these are good points and asked the Town Manager about having this conversation in executive session so there is clarity and at least we feel comfortable about how the money has been spent and the plan. Mr. Speich added so we can start thinking about it in the future and having some input or thought. Mr. Pena recalled that they did discuss bringing the Chief of Police in under executive session. The Town Manager commented that depending on what happens with the science classroom project; if it is re-evaluated and comes in anything over \$725,000 it is a Town meeting, a special project, or it absorbs all of their capacity in capital for one year and you don't do anything else or you get back into a pay-as-you go which we did in FY 16, FY 17, and FY 18. Mr. Stokesbury commented or there is money left over from the security project that could be used. The Town Manager responded always a possibility that could be repurposed back again. Mr. Bernetich commented that with this, until we know more; he is all for school security but has the same exact questions that everyone else has had so he does not want to say no to this but would like more details before he says yes. Mr. Stokesbury responded that may not be possible; from here it goes to Board of Finance. Mr. Speich commented that he feels the same way Mr. Bernetich does but we need to move on and he has the faith in staff that it will be spent properly and going forward we need to get a look at it. Chairperson Maguire responded that at their April meeting perhaps we can have a discussion at the Council level for these expenditures; she thinks everybody is behind it but just wants to understand it. Mr. Bernetich asked if we could set it up to have an executive session with the Board of Education so we all understand; we don't want to let everybody know what we're doing for security purposes. Chairperson Maguire responded that would be with the Town Manager, Chief of Police, and the Superintendent in executive session. The Town Manager commented that we are talking about a month out, he will try. Mr. Stokesbury questioned what the bid process is to get the project approved so there is an electrician working June 20th (or last day of school); are we really bumping up against that anyway. The Town Manager responded probably; it depends what the projects are in the end; there was a very detailed plan that was put together back in 2013-2014 and if it is just a matter of picking that up that is pretty simple; it depends what the value of these projects are because that drives the bid process. Mr. Stokesbury commented that he does not want to jeopardize a timeline to get appropriate work done in the summer; to stay on that track our experts need to convene as soon as possible, we know you have lots on your plate, but it has to move at the expert level as opposed to the Board level in his opinion; we can delay or vote or have a special meeting on it if it is appropriate; he is not hearing that we are going to have significantly more specific understanding of the project and the actual cost of the project anytime soon. Chairperson Maguire responded that if they are going to start in the summer they would have to have some overall plan. The Town Manager commented that he thinks it will come together fairly quickly but even as he sits here now he doesn't know exactly what it is. Chairperson Maguire commented that we need to trust in the Town Manager, Chief of Police, the Boards that we are all on the same page to get the job done right; we should have a better understanding of it when that is available under executive session. Mr. Speich commented that he is willing to take a leap of faith and approve it but let's follow it up with what is going to happen.

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

RESOLVED: That the Town Council hereby recommends that the Board of Finance amend the FY 17/18 budget by transferring from Capital Projects Fund (Facil & Equip), BOE CIP-Facilities, AMS & AHS Science Labs Arch. Design, Account #02-4859-53115 to Capital

Projects Fund (Facil & Equip), BOE CIP-Facilities, BOE Security Upgrades, Account #02-4859-53114, the amount of \$667,412, for the purpose of security upgrades covering each of the six (6) Board of Education facilities.

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

17/18-55 Supplemental Appropriation: Rails to Trails Fence Replacement, \$2,500

Chairperson Maguire reported that we received monies from the Farmington Valley Trails Council and the funding is to offset a portion of the Town's cost for the recent replacement of fencing in various sections of the Rails to Trails.

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

RESOLVED: That the Town Council hereby recommends that the Board of Finance amend the FY 17/18 Budget by increasing:

REVENUES

Forest Park Management Fund, Other Local Revenues, Donations & Grants, Private Sources, Account #04-0360-43651, in the amount of \$2,500 and increasing

APPROPRIATIONS

Forest Park Management Fund, Parks, Fence Replacement- Rails to Trails, Account #04-5201-53920, in the amount of \$2,500, for the purpose of recording funding received to replace portion of fencing on the Rails to Trails path.

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

17/18-56 Supplemental Appropriation: Consulting Services-Avon Village Center, \$20,000

Chairperson Maguire reported that when they have special applications that they are preparing the Town requires them to fund those and we are being reimbursed.

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

RESOLVED: That the Town Council hereby recommends that the Board of Finance amend the FY 17/18 Budget by increasing:

REVENUES

General Fund, Other Local Revenues, Refunds & Reimbursements, Account #01-0360-43612, in the amount of \$20,000 and increasing:

APPROPRIATIONS

General Fund, Planning, Service & Consultant, Account #01-7101-52184, in the amount of \$20,000, for the purpose of recording funding received from Avon Town Center LLC for consulting services/peer review by Amenta/Emma Architects for planning studies in connection with the November 17, 2015, approved Carpionato Group LLC's Master Plan for Avon Village Center.

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

17/18-57 Approval of Real Estate Tax Refunds, \$21,946.33

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

RESOLVED: That the Town Council approve real estate tax refunds to Wells Fargo Home Mortgage in the amounts of \$5,756.58, \$4,561.43, \$5,318.83, and \$6,309.49. Mrs. Maguire, Messrs: Speich, Stokesbury, Bernetich, and Pena voted in favor.

IX. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager did not provide highlights on any items.

Misc. B: Construction Update: The Town Manager highlighted that with the Oak Bluff dry hydrant we did the bids and even with the appropriation we already have in place we will be about \$17,000 short; he had a preliminary conversation with Rob Shillington at the Avon Volunteer Fire Department (AVFD) and will be sending a request tomorrow to see the AVFD has some funds they would like to contribute to complete the project with us; one issue with this item is that there is a condition on the approval from the Inland Wetlands Commission that we don't complete the project during the time period when creatures could be mating in the pond so we have to be mindful of their cycles and that may put us off for a couple of months. Mr. Stokesbury questioned if Town staff has found Schultz Corporation of Terryville to be the lowest responsible bidder. The Town Manager responded yes.

Misc. C: Ordinance Prohibiting Waste Associated with Natural Gas and Oil Extraction:

The Town Manager reported that on Friday last week he testified before the Environment Committee on behalf of the Connecticut Conference of Municipalities (CCM); he prepared comments that were submitted for the record on CCM's behalf; then (COST) Council of Small Towns submitted duplicate testimony. He noted that the approach he focused on in the testimony was to say the Town of Avon or any town, we do not have the horsepower in house to deal with, we don't have the scientific expertise and we don't have the money; and we cannot by law apply a fine that is a significant deterrent because we are capped at a \$250 fine for anything. He added that the approach with the Environment Committee was to say these are small towns, they are always talking the State generally about consolidation; isn't this a case in point, what a crazy patchwork quilt regulation this would create, it encourages bad actors because you have inconsistent ordinances, why doesn't the State just make a decision on this based on whatever the science is good or bad and then enforce it. He got some positive comments back from the Committee and one member stated the testimony was enough to convince any Town Council not to adopt the ordinance. He continues to have concerns about the language in the proposed ordinance because of all the preemption issues that we talked about and his opinion on that has not changed. He added that it was also discussed at the Avon Clean Energy Commission meeting last week in some depth and the Commission didn't take action on it and does not think they saw it as a significant issue; Dean Applefield was present, who was not speaking on behalf of DEEP but is an attorney with DEEP and was also at the last Council meeting and had some very thoughtful comments. He added that it does sound like his testimony did get some traction; one of the things he highlighted is that what we understand is that there is a gap in the ordinance being proposed because it only includes natural gas extraction not the oil part and does not include the part of the process of drilling the hole, the extraction part, and at least picking up oil is likely in whatever comes out of the Environment Committee. He noted that other communities are continuing to look at it; some of them are throwing their hands up and adopting it without understanding what they are adopting and what the ramifications are thinks that is really dangerous; West Hartford is prime to take a look at it and Manchester is going to be

looking at it; there is the possibility that this session something will come out so we get a resolution from the State and we will continue to work on it. Chairperson Maguire thanked the Town Manager for testifying at CCM. The Town Manager responded that it was understood; Kennedy, Committee Co-Chair went to get someone from DEEP to respond to his comments; Craig Minor, Committee Chair, had positive comments about what was proposed; it was summed up very well so they clearly got where we were coming from. Mr. Stokesbury asked the Town Manager to speak briefly to what is happening within the membership of CCM or COST; is this getting organized attention by the leadership to the members of the organizations. The Town Manager responded that it is now, but before not so much and he thinks that's too bad; a lot of communities didn't put the time into it, there was a lot of pressure, he knows that at least in one community the advocacy group involved with this said if they cannot go through the front door we will go through the back door and the ordinance was petitioned to a Town meeting for approval; a lot of communities just went ahead and adopted it. He thinks he was probably the first one to raise it up the flagpole at CCM as their environmental liaison hadn't had much experience with it; clearly it is an issue because no town standing alone can deal with this, it doesn't make any sense at all; the text in the ordinance talks about someone else paying for all of the testing costs that might be involved, third parties, DEEP; we will pay for it; it is an illogical approach when what we are hearing from the State is the towns need to regionalize, need to consolidate, having a patchwork of different service levels in different buildings doesn't make any sense so why are we going to legislate environmental issues that way when they're a public policy concern for the State as a whole. He thinks CCM is very sympathetic and agreed with his approach and why they took his testimony and put it on their letterhead.

Christine Winter, 191 Cold Spring Road, read a memorandum to Town Council (which is attached and made part of these minutes). She noted the important point, the issue of regulating versus banning. She also noted that when we first started talking about this in January thirty-three towns had passed this ban and is now up to thirty-eight towns. She noted that the request of passing a resolution is short of passing an ordinance; it would support the language that has come out of the Environment Committee which would address some of the concerns that the Town Manager is raising and would support some of the concerns that some of us who are working for passing the ordinance had; an overhead conversation between a couple of DEEP members and a lobbyist for petroleum-fossil fuel industry indicated that there may be an interest on DEEP's at their urging to work on regulations which would permit the use of re-processed sand from the extraction process which could be put to use in the southern part of the State along the shoreline; it is a very frightening prospect because these materials would be subject to a great deal of erosion under the pressures of nature and at stake is the life on Long Island Sound; there are things going on behind the scenes that are sometimes hard to know about. The Town Manager commented that in terms of the Avon Clean Energy Commission it wasn't a matter of dissuading, he thinks Dean Applefield probably did a pretty good job of that, it was a factual presentation as he gave tonight on how he is seeing things and how it is evolving; we need to keep in mind that there is a very significant issue of preemption and if the State in their wisdom decides to permit whatever to happen subject to regulation the Town cannot ban it, we cannot be adverse to the State. Ms. Winter responded that there was a legal opinion put out by the firm of Halloran and Sage on exactly this topic which makes us a point moot and that could be part of the information that Jennifer Siskind could talk with you about. The Town Manager noted that we have an opinion from our Town Attorney that says it is an issue.

Adam Lazinsk, 88 Deepwood Drive, commented that he was not able to attend the previous Town Council meeting where he believes there was a presentation. Mr. Stokesbury clarified there was in-depth discussion. Mr. Lazinsk noted that he is post-cancer and he does not want environmental waste in his community and he doesn't mean to sound flip about that; he is opposed to the notion of the Town Council adopting an ordinance about an issue or problem that does not yet exist or probably will not exist in this Town; the basic ordinances this Town has is about people removing snow from their sidewalks, not putting snow into the street from their driveways, not having unregistered motor vehicles that are not able to be repairable on their property; things that the Town can control; it seems to him that this movement to have individual municipalities have ordinances banning fracking waste is more a political movement than a necessity of this specific Town and he encourages Council to do nothing further with it and let's move on to the real issues that this Town faces, thank you.

Mr. Bernetich commented that he does not think anyone on the Council wants fracking waste in the Town; we are saying no ordinance because it would cost us money and might end up on the hook for testing and everything else and if the State says this is the way we do it, it supersedes what we do. He questioned the argument for the ordinance. He noted that we are all in agreement that we do not want fracking waste here but we also do not want to incur the cost of testing and all of the other associated things so how is that not good enough for what you are looking for. Ms. Winter responded that for one thing the issue of the cost of testing and remediation, it is true there is a trivial find if someone were to bring stuff into Town if we had no ordinance against it, that \$250 is nothing but also included in the ordinance is that any offending party would be responsible for the cost of testing and remediation which is much more significant and that is the kind of thing we could be on the hook for if we didn't keep it out of our Town; in fact we have had some major clean-up projects in Town that have been very expensive; just yesterday there was a gas leak in the West Hartford Public Works garage; these things do happen and can be in any phase of this whole process from transportation to storage. Mr. Bernetich commented that what the State is doing now and we are not in favor of the ordinance, what are we missing in your opinion? Ms. Winter responded product from oil is not covered, many chemicals that are not currently covered, there is a lot of stuff that goes on prior to the actual hydraulic fracturing that also generates a lot of waste that is toxic in nature and those products are not included in the current language, the transportation issue is not covered in the current language; several people have said that this stuff is not ever going to be in our Town, she does not know what that is based on because what we are really talking about is that DEEP has been ordered, directed to develop regulations which would be for the purpose of issuing permits to anyone applying for it to process this waste in our State and after this waste is processed it would be available for sale for things like construction fill and road salt to municipalities which could very likely include the Town of Avon; she knows we are in a consortium when we buy these things and currently these products are not included in what is being spread on our roads because we do have a temporary moratorium but as soon as DEEP either writes regulations or the State passes a law about it than that moratorium is gone and what that language consists of if it comes out of DEEP or the State legislature is very important; this ordinance is very protective and inclusive to cover the entire process. Mr. Bernetich asked the Town Manager if we could have ordinance ready to go in case we needed it. The Town Manager responded not the one that they have recommended; most towns are amending the one they have recommended. Ms. Winter commented that most towns have adopted it with only a minor revision; in fact thirty-seven of the thirty-eight towns have adopted virtually the same language; it is not a crazy quilt at

all; one town has significantly different language that is Washington, the rest have virtually the same language. Chairperson Maguire asked the Town Manager if a resolution is a possibility. The Town Manager responded it is far more appropriate; this is for a report, this is not final action, it is an update. Mr. Stokesbury commented that he thinks we have to get through the legislative session. The Town Manager commented that it is important but it is not immediately pressing and if the State takes action to resolve the issue than we don't have to; it appears that it is heading in that direction.

Amy Alamar, 56 Westland Road, commented that what she is hearing is our Town Council is anti-fracking waste being used in our Town. She questioned if there is something we can do to support a State initiative if it is not having an ordinance at our local level. She noted that personally the quilt thing is an interesting idea because that is the beauty of local government and we build up an argument from what we believe at our local level but if that is not going to happen can we support some effort at the State legislation and how do we do that as a Town and represent and say our Town doesn't want this but we are not comfortable with the ordinance. Chairperson Maguire responded that is what our Town Manager did by testifying on our behalf at CCM last Friday. Mr. Stokesbury commented that we could also do a Council resolution. Chairperson Maguire agreed. Ms. Alamar responded that because then we could say as a Town this is how we feel. Ms. Winter commented that the presentation on behalf of CCM requested that DEEP be charged with writing the regulations and assessing and enforcing them; Craig Minor asked queries whether DEEP was going to be able to do that job since they have been tasked with writing regulations by July 1st of this year and the DEEP employee who was called in to address the issue maintained that no one is working on developing these regulations and no one will be in the foreseeable future and that is a much smaller slice of this whole than what we are talking about. She thinks that the only thing DEEP may have going forward is writing regulations that have to do with the sand extraction kind of stuff which is actually dangerous so DEEP cannot be counted on in this regard; they do not have the resources, they have been cut way back, they have piles and piles of regulations that they have been incapable of writing already so to turn it over to DEEP is to basically say that it is off our desk, it is their job but it won't get done. Mr. Speich commented that if these regulations don't occur, DEEP doesn't write them, we are still under a moratorium. Ms. Winter responded that the moratorium will continue but it is incomplete, it is a small section of what should be done so if the State passes what came out of the Environment Committee in the way of a ban it would be much better than referring this to DEEP; it would give us much better protection. She would request that Council consider adopting a resolution about supporting what came out of the Environment Committee, not sending it to DEEP. Chairperson Maguire commented that is a lot of things to think about, it is ever changing, and maybe we take a look at the resolution concept.

Misc. D: Tablets/Laptops for Boards and Commissions: The Town Manager reported that the Assistant to the Town Manager asked CCM for some research on this; they reached out to fifteen towns, eight responded; in our area we are not seeing much technology going to Boards/Commissions but there are a couple of examples; we haven't had any request but it is always something we can look at and if there is an interest in doing that there would be a cost and some administrative and policy work we would have to do. Mr. Pena commented that he does think it is something we should look at further down the road; we print so much information and also with Board of Finance it would be easier because they see quite a few different things that need to be updated; there is new technology and it could even develop into a regional project

as well with software purchased on a regional basis and if that saves manpower as well as people power in general it would be something we should look at and well worth it for all of us; we can access the information readily when we need it and when we have the convenience to read something rather than have it dropped on a Monday or a Friday and having to read it in four or five days so it would save them time as well too so we should definitely continue looking at it.

X. EXECUTIVE SESSION: Pending Claim / Litigation

Council did not hold an Executive Session at this meeting.

XI. ADJOURN

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

RESOLVED: That the Town Council adjourn the meeting at 10:50 p.m.

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

Attest:

Ann L. Dearstyne, Town Clerk

To: Chairperson Maguire and Councilmembers
From: Christine Winter
Date: 3/1/2018
Re: Oil & Gas Drilling & Extraction (includes fracking) Waste and Ordinance Information

I am pleased to provide updated information regarding oil and gas waste. I emailed "bulleted info" background to Brandon several weeks ago for sharing with the Town Council, but this new version reflects an updated status of Senate Bill 103. I have sent details to you in a separate e-mail.

I appreciate members asking worthwhile questions and requesting more information at your last meeting. It was difficult to provide clear information with repeated interruptions.

I recently met with Brandon Robertson, Grace Tiezzi and Hiram Peck and invited Jennifer Siskind, Local Coordinator for Food & Water Watch, to attend. She helped explain drilling and extraction and why the ordinance language is more protective than current State law.

Since then, Brandon reported back to the Clean Energy Commission, dissuading the passing of this ordinance, and he delivered testimony in-person last Friday to the Environment Committee for the CT Conference of Municipalities, which in writing recommends *regulating*, instead of banning this waste. It also appears DEEP may be advocating for re-use of fracking wastes with Beneficial Use Determination permits.

Yesterday, the Environment Committee changed their raised bill language and passed the *same definitions* that are in the proposed local ordinance out of committee. This is a significant improvement over what committee members have agreed to in the past month. We do not know yet what the outcome of this bill will be. It may be amended, so I encourage you to continue gathering information.

A short presentation by Jennifer Siskind would give you essential decision-making insights. She has presented to numerous councils, Boards of Selectman and Councils of Government, and has worked cooperatively with elected leaders around the state. A request for such a presentation has been made on several occasions but has not been placed on your agenda.

I appreciate the Council's careful consideration of this important initiative to keep our town free of toxic pollution. **At this time, please consider passing a resolution urging state leaders to pass the most comprehensive language banning oil & gas drilling and extraction wastes.**

Thank you,

A handwritten signature in cursive script that reads "Christine Winter".

Christine Winter
191 Cold Spring Rd
Avon, CT
(860) 673-4466