

**AVON TOWN COUNCIL  
MEETING MINUTES  
September 5, 2019**

**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, and Pena. Mr. Speich was absent. A quorum was present.

**II. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chairperson Maguire.

**III. PUBLIC HEARING:** None

**IV. MINUTES OF PRECEDING MEETINGS:** July 25, 2019  
August 13, 2019 Special Meeting

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

**RESOLVED:** That the Town Council accept the minutes of the July 25, 2019 Meeting as drafted.

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

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

**RESOLVED:** That the Town Council accept the minutes of the August 13, 2019 Special Meeting as drafted.

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

**V. COMMUNICATION FROM AUDIENCE**

Adam Lazinsk, 88 Deepwood Drive, expressed concerns along Huckleberry Hill, Chevas, Old Farms Road, and Deercliff with the deterioration of the wooden post guardrails and should be looked at and repaired by Public Works; he has observed other towns that do a better job maintaining vegetation/tree growth along their right-of-way versus Avon and it is a safety issue; and the turf field looks great but his concern is how it will be maintained by Board of Education staff. Chairperson Maguire thanked Mr. Lazinsk for his comments/concerns; she asked the Town Manager to look into the trail clearing; and the Town will have an active role and partnering with the Board of Education to make sure that the turf field is well taken care of.

Chief Mark Rinaldo, Avon Police Department, noted there is an uptick in vehicle break-ins that occur typically between 2:00 to 3:00 a.m., not only in Avon but throughout the State; forty-three motor vehicle burglaries and eight stolen cars since January; a resident has a Facebook group with 4,000 followers to alert residents; the Police Department will hold an awareness campaign on September 17<sup>th</sup>; incidents need to be reported timely to establish a pattern; the State prosecutors are not pursuing these cases; several vehicles are recovered in Hartford or involved in accidents and abandoned; it is frustrating for the Police Department. Mr. Pena reported that

his street had several break-in incidents. Chairperson Maguire commented that it is important to educate our community and create neighborhood watch groups. In response to a question from Mr. Stokesbury, Chief Rinaldo responded that home burglaries have not increased and are not connected to the thefts of unlocked vehicles; garage doors are also being left open. Mr. Stokesbury commented that these are crimes of opportunity and we need to change societal norms to lock our cars. Charles Harvell, 7 Saint Michaels Court, shared that an officer caught a vehicle burglar from his house forty-five days ago and he did receive a call from a State prosecutor asking what the process should be. Chief Rinaldo responded that prosecutors send out a victim letter and by State law have to ask for input.

## **VI. COMMUNICATION FROM COUNCIL**

Mr. Stokesbury commented on the following: Old Farms Road Bridge beams are arriving; recent Wolcott schools ransomware attack; East Haven Town Council approved an increase to their firefighter tax abatement and we need to look at those benefits to recognize our volunteers, noting Mr. Bernetich as a newly certified driver with the Avon Volunteer Fire Department; we need to be educated on 5G as residents have reached out to us on this topic; he attended the Dream Ride event with 2,000 cars shown on Sunday and 500 high end sports cars in the ride on Saturday with Special Olympians as passengers through Farmington and Avon and it was shared with him that Route 44 was the most disruptive part of the ride with traffic lights and perhaps we could coordinate with the State for next year.

Mr. Pena appreciated the Old Farms Road Bridge field trip, attended the AVFD family picnic which was very well done, and the School District Convocation was a great event.

Mr. Bernetich echoed the same remarks regarding the Old Farms Road Bridge Project, Convocation, and volunteer firefighters.

Chairperson Maguire attended the Convocation which is a great way to kick off the school year; recognized Mr. Bernetich for receiving his 2Q license and able to drive Engines 7, 9, 10, 11, 14, and Tanker 20 – after forty hours of training – and thanked him for his service; and thanked Mr. Bernetich for securing musical entertainment for the Carnival.

## **VII. OLD BUSINESS**

### **13/14-48 Avon High School Synthetic Turf Field and Track Improvement Project Update**

Mark Zacchio, Chairman, AHS Synthetic Turf Field & Track Improvement Project Building Committee, provided a brief update; highlights included a great partnership with the contractor, Department of Public Works (DPW), Board of Education, and the High School; August 23<sup>rd</sup> was the contractual substantial completion date and we missed it by a few days due to rain with the paving schedule; the turf field is in great shape, 100% seamed in with a 1 7/8" nap height and 1/2" of fill and passed performance and permeability tests; punch list items to be taken care of next week; track will be painted to 90% completion tomorrow with the rest early next week; walkway paving to be completed next Monday then finish loom spread, install port-o-lets with enclosure, shed installation, and pour shot put area; extra top soil will go to the Towpath site; the neighbors have been great and we worked with any issues to residents' satisfaction.

Mr. Stokesbury thanked Mr. Zacchio for his hard work. In response to a question from Mr. Stokesbury, Mr. Zacchio responded that the field has been released for use by school sports teams; field hockey coaches are extremely happy with the nap height on the new field.

Adam Lazinsk, 88 Deepwood Drive, asked if the nap height will be a detriment to the football team. Mr. Zacchio responded no, with the coated sand infill it plays fast and firm and stays cooler than crumb rubber however it might require more grooming.

The Town Manager commented that Mr. Zacchio has spent a lot of time on this project and at the field; everyone worked seamlessly throughout the process; we were fortunate to do great planning at the front end of the project and went to almost 100% design development before referendum; very diligent about keeping neighbors ahead of the curve; soft and hard openings will be scheduled for this fall; and maintenance will be important. Mr. Zacchio thanked the Council for their support for the Building Committee and recommendations made. In response to a question from Mr. Stokesbury, Mr. Zacchio responded that the extra carpet has been given to Public Works and some pieces should be placed on roofs to fade at the same rate as the field for future replacement.

Chairperson Maguire expressed much thanks to Mr. Zacchio for his time spent with this project. The Town is very proud of this project; residents are excited; it is something special for Avon.

## **VIII. NEW BUSINESS**

### **19/20-05 Technology Lease/Purchase Approval**

Heather Michaud, Director of Fiscal Affairs, commented that this is the ninth technology lease to come before Council; the original request has been amended to add 77 chromebooks based on that number of student registrations received since August 1<sup>st</sup>. Chairperson Maguire noted that this has worked very well in the past and the 1:1 ratio is wonderful. In response to a question from Mr. Stokesbury, the Town Manager responded that it does not require Board of Education approval to add the additional chromebooks for the lease purchase pursuant to the debt policy. In response to questions from Mr. Stokesbury, Ms. Michaud responded that the initial request was approved by the Board of Education and is funded through their operating budget.

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

**RESOLVED:** That the Town Council approve a four-year lease agreement between Trinity3 Financial Services and Town of Avon for the Board of Education to secure 100 laptops for faculty at Pine Grove School and Roaring Brook School and 577 chromebooks to create a 1:1 device to student ratio from Kindergarten through Grade 12, in an amount not to exceed \$298,976.00, or annual installments of \$74,744.00.

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

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

**RESOLVED:** That the Town Council move item 19/20-08 Review, Discuss, Set Public Hearing: Storm Drainage Easement & Street Line Agreement: 55 Orchard Street up before agenda item 19/20-06.

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

**19/20-06 Contract Recommendation: Health & Welfare Benefits Consultant**

The Town Manager noted that Steve May left Milliman who had been working with the Town since 2008, but they no longer want to offer this service; staff interviewed three consultants and Lockton was the unanimous choice and come highly recommended. In response to a question from Mr. Stokesbury, the Town Manager responded that cost sharing with the agreement between the Board of Education and the Town is consistent with past practice.

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

**RESOLVED:** That the Town Council award the contract to Lockton of Farmington, CT for Health & Welfare Benefits Consultant Services in an amount not to exceed \$127,500 with the cost split 60/40 between the Board of Education and Town respectively, for a term commencing on October 1, 2019 and in effect through September 30, 2021.

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

**19/20-07 Appropriation from Police Special Services Fund (Fund 7): Police Vehicle, \$56,797**

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

**RESOLVED:** That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed \$56,797 from Police Special Services Fund, Other Financing Sources, Unassigned Fund Balance, Account #07-0390-43913, to Police Special Services Fund, Special Services, Vehicles, Account #07-2109-53311, for the purpose of purchasing a new police vehicle and the in-vehicle set-up

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

In response to a question from Mr. Stokesbury, the Town Manager responded that an update regarding fleet will be provided during the upcoming budget process.

**19/20-08 Review, Discuss, Set Public Hearing: Storm Drainage Easement & Street Line Agreement: 55 Orchard Street**

Alison Howard, representing the Howard Family Trust for 55 Orchard Street, commented that the Trust is looking to prepare and sell the property as a building lot. The Town Manager reported that whenever the Town accepts an interest in real property it requires a public hearing, and subject to such he recommends approval. In response to a question from Ms. Howard, the Town Manager responded that the Town Engineer can explain next steps post-public hearing.

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

**RESOLVED:** That the Town Council set a public hearing date to be held at their October 3, 2019 meeting to consider acceptance of a storm drainage easement and defined street line for 55 Orchard Street as depicted on the following map: "PROPERTY SURVEY PREPARED FOR ALISON M. HOWARD, 55 ORCHARD STREET & HUCKLEBERRY HILL ROAD, AVON, CONNECTICUT, scale 1"=20' by Godfrey Hoffman, Hodge, LLC dated 06-27-2019."

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

**19/20-09      Approval of Real Estate Tax Refunds, \$12,283.06**

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

**RESOLVED:** That the Town Council approve real estate tax refunds to the following: Ronald J and Susan J Kasper \$1,190.98, Freedom Mortgage \$3,957.05, David A Coons \$1,893.07, and Iris & Ori J Karev \$5,241.96.

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

**19/20-10      Appointments: Lower Farmington River & Salmon Brook Wild & Scenic Committee**

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

**RESOLVED:** That the Town Council table agenda item 19/20-10 Appointments: Lower Farmington River & Salmon Brook Wild & Scenic Committee to the October 3, 2019 meeting.

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

A member of the audience inquired about this item being tabled as she was attending at the request of Sally Rieger. The Town Manager responded that there are no recommendations at this time and we can reach out to her prior to the next meeting.

**19/20-11      Resignation: Board of Assessment Appeals (R – 12/31/2019)**

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

**RESOLVED:** That the Town Council accept with regret the resignation of Laura Mensi from the Board of Assessment Appeals.

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

**19/20-12      Resignation: LeClair Ryan – Assistant Town Attorney**

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

**RESOLVED:** That the Town Council accept with regret the resignation of LeClair Ryan as Assistant Town Attorney.

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

Mr. Stokesbury commented on the opportunity for the Town Manager to collect any files the Town may have with this firm.

**19/20-13      Appointment: Assistant Town Attorney**

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

**RESOLVED:** That the Town Council appoint FordHarrison, LLP as the Assistant Town Attorney.

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

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

**Misc. A: Purchasing Update:** The Town Manager provided a brief update. He noted that the Geothermal HVAC System Replacement at the Library should be executed sooner rather than later. Mr. Stokesbury inquired about funding sources from other related HVAC funds that might be available for reclassification. In response to a question from Mr. Stokesbury, the Town Manager responded that a few local banks have responded to the Cash Management & Banking Services RFP.

**Misc. B: Construction Update:** The Town Manager provided a brief update, including these highlights: a neighborhood meeting will be held on September 17<sup>th</sup> regarding the Public Safety Communication System Project with a presentation and to answer any technical questions the neighbors might have, making this as non-intrusive as it can be while achieving our goal for public safety; and Fisher Meadows Fields will not be ready for fall as we continue to monitor growth. In response to a question from Mr. Stokesbury, the Assistant to the Town Manager responded that roof work can be done during the school year given the different material being used, in addition to the provision that noise will not be disruptive in the school.

**Misc. C: Food Truck Festival and Carnival:** The Assistant to the Town Manager provided an update, including these highlights: a press release went out yesterday and is on the Town web site and the vendor is advertising it on Facebook. Chairperson Maguire thanked the Assistant to the Town Manager for her hard work and dedication with this. Mr. Bernetich noted that AVFD members will also be volunteering throughout the weekend. The Town Manager noted the structure with one contract and the food truck vendor coordinating much of the event festivities.

**Misc. D: Fisher Farm Leases:** The Town Manager reported that Sub Edge Farm is two years into their current agreement which provides for two (1) year extensions and expects we will extend it as the Phillips are in for the long-term; we are ending our first term with Logue Farms and a renewal will require a public hearing at a future Council meeting.

**Misc. E: Old Farms Road Project:** The Town Manager reported that there is a meeting with the Department of Transportation (DOT) next Monday to discuss the LOTCIP application status. He provided a brief project summary for new audience members. Mr. Stokesbury clarified that the incremental cost to move the road would be paid by Avon Old Farms School and other State/Federal/Local funds would pay for the rest of the project.

**Misc. F: Bus Shelters:** The Town Manager reported that this item is still being worked on.

**X. EXECUTIVE SESSION:** Real Estate  
Collective Bargaining  
Cyber Security

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

**RESOLVED:** That the Town Council go into Executive Session at 9:26 p.m.  
Mrs. Maguire, Messrs: Pena, Bernetich, and Stokesbury voted in favor.

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

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

**RESOLVED:** That the Town Council come out of Executive Session at 9:45 p.m.

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

**19/20-14**     **Possible Action on Item Discussed in Executive Session (Dispatchers Contract)**

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

**RESOLVED:** That the Town Council authorize the Town Manager to execute an agreement with the Dispatcher Union CILU Local #22 resulting in a three-year contract from July 1, 2019 through June 30, 2022.

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

**XII.**     **ADJOURN**

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

**RESOLVED:** That the Town Council adjourn the meeting at 9:46 p.m.

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

Attest: Jennifer Worsman, Clerk