

**AVON TOWN COUNCIL
MEETING MINUTES
July 30, 2020**

I. CALL TO ORDER

The meeting was called to order at 5:00 p.m. via GoToMeeting by Chairperson Maguire. Members present: Mrs. Maguire, Messrs: Bernetich, Speich, Polhamus, and Weber. A quorum was present.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Maguire.

III. PUBLIC HEARING:

19/20-59 Drainage Easement: 35 Vermillion Drive

The Public Hearing was called to order at 5:00 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, July 30, 2020 at 5:00 p.m. in the Selectman’s Chamber, 60 West Main Street, Avon, Connecticut for the following purposes:

1. To release a drainage easement located on the westerly side of Vermillion Drive at the northeast corner of Lot #8, known as Drainage Easement E, and described as follows: beginning at an Avon highway monument marking the northeast corner of Lot #8; thence running N 10 10’ 58” E, along said westerly highway line forty-eight and twenty hundredths (48.20) feet to a point; thence running N 67 41’ W seventy-eight and fifty-four hundredths (78.54) feet to the northerly boundary of Lot #8; thence running N74 38’ 17” E, along said northerly boundary, sixty-six and fifty-one hundredths (66.51) feet to the point of beginning. Together, with the unrestricted right to discharge drainage waters from said easement on to Lot #8.

Easements D and E are more particularly shown on a map entitled “Map Showing Proposed Drainage Easements to be conveyed to Town of Avon Vermillion Drive Avon, Connecticut Scale 1”-40’ April 1980 and certified substantially correct by Edward F. Reuber, Surveyor Hodge Surveying Associates, P.C.”

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 5th day of June, 2020.

Brandon L. Robertson
Town Manager”

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

RESOLVED: That the Town Council close the public hearing.

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

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

RESOLVED: That the Town Council approve the release of a drainage easement located on the westerly side of Vermillion Drive at the northeast corner of Lot #8, known as Drainage Easement E, and described as follows: beginning at an Avon highway monument marking the northeast corner of Lot #8; thence running N 10 10' 58" E, along said westerly highway line forty-eight and twenty hundredths (48.20) feet to a point; thence running N 67 41' W seventy-eight and fifty-four hundredths (78.54) feet to the northerly boundary of Lot #8; thence running N 74 38' 17" E, along said northerly boundary, sixty-six and fifty-one hundredths (66.51) feet to the point of beginning. Together, with the unrestricted right to discharge drainage waters from said easement on to Lot #8.

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

IV. MINUTES OF PRECEDING MEETINGS: June 4, 2020 Meeting

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

RESOLVED: That the Town Council accept the minutes of the June 4, 2020 Meeting as submitted.

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

V. COMMUNICATION FROM AUDIENCE

Julia Gordon, 31 Arlington Drive, 13-years old and an incoming freshman at Avon High School, asked the Town Council for approval on a project that she would like to create at the Avon Library. She was originally interested in a rainbow crosswalk but after learning about safety and traffic concerns she changed her plan to have Avon spelled out in rainbow letters on the sidewalk by the Library or directly in front of the building, somewhere off the street but can still be seen and enjoyed by everyone in our community. She got the idea from Simsbury who did a similar thing around pride month and talked to Eric Wellman on the Simsbury Town Council who said the rainbow sidewalk was the most rewarding project he did and was of the least expensive, about \$200 worth of paint and more than sixty people in the community came out to help. Simsbury received a lot of positive responses, not only from people in Connecticut but from around the country. Her feeling is that if Simsbury can do this, we can too and we should. Having something like this in Avon is important because it would be a display of support and acceptance for the LGBTQ community. She has personal interest in spearheading this project because she has many gay friends and this is important to them and to her. She came out to her close friends and family almost a year ago and before that it was hard. She knows something as simple as seeing a pride symbol around Town would have made her feel a lot less alone. Many middle and high school students go to the Library after school and seeing such a positive, inclusive message displayed would help struggling kids feel less alone and show what a loving and supporting community we have here in Avon. Budget wise she does not think it would cost more than \$200; if funding from the Town is impossible she would oversee fundraising efforts. She is hoping to have a student run group to not only create it but provide regular upkeep and she knows of many students that will volunteer and anyone who wants to help can join. She has shared her idea with friends and adults and knows that she has lots of support. She is asking for Councils' support as well. People right now need positivity and inspiration. She is hoping for a yes from Council so we can get started on this project at the start of the school year or sooner. After many difficult months of isolation we can all work on something that brings us together. With approval she will follow-up with

sample designs so we can move forward. Thank you for your time and consideration. Chairperson Maguire thanked Ms. Gordon and complimented her as an eloquent speaker and appreciates the time taken to come before Council. Chairperson Maguire supports Ms. Gordon 100% and wants to help her get there. She noted that there are rules regarding Town property; the Town doesn't advocate or promote any one particular group but it doesn't mean that the message shouldn't be said. Chairperson Maguire understands how important this is to Ms. Gordon and wants to see her dream come true. Mr. Weber asked the Town Manager what action it would take from the Council to get something like this done. The Town Manager responded that we are dealing with a public road which are heavily regulated; the Manual on Uniform Code of Traffic Devices controls state and local roads and would be a legal violation to use a public road for this purpose. He added that in terms of using Town property for advocating or advertising concepts or events that are not related to Town activities historically has not been permitted. He noted the recent event of "Be Kind" signs that the Avon Lions Club wanted to put on Town property; the Town can't regulate content; advertising has been left strictly to Town related events, i.e. referendum, budget meetings, and recreation programs. He suggested an offline conversation between Glenn Grube, Library Director and Ms. Gordon to see if we can achieve the goal without running into these issues. Glenn Grube, Library Director, commented that he is proud and thrilled that Ms. Gordon suggested the Library as a location for this and will speak with the Town Manager to see if something can be done in a permanent way without violating any Town policies. He mentioned the gallery at the Library that rotated monthly and would be thrilled to discuss a LGBTQ positive art display at a future date, maybe pride month next year and when the public can enjoy it. Ms. Gordon advised the Town Manager that it would be off the road; Simsbury did it on the sidewalk near their concert green. The Town Manager responded that it is the idea that it is on the sidewalk or advocating on a Town property. He suggested starting with Mr. Grube and will get involved as he can be helpful. Mr. Polhamus thanked Ms. Gordon for bringing it up and it is a great idea. He mentioned the American flags along the Old Farms Bridge recently and perhaps an avenue to look at either as a permanent display or during pride month for Ms. Gordon's idea. Chairperson Maguire noted that there are more conversations to be had and asked Ms. Gordon to copy her on any e-mail conversations and see where we can go with this. She thanked Ms. Gordon for attending tonight.

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

RESOLVED: That the Town Council move item 20/21-02 Lights at AHS Synthetic Turf Field and Track up before VII. Old Business and move VI. Communication from Council before IX. Town Manager's Report/Miscellaneous.

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

VI. COMMUNICATION FROM COUNCIL

Mr. Polhamus expressed the fantastic job regarding Old Farms Road Bridge; he liked the American flags there were placed there by the Boy Scouts there on July 4th; it would be great to do something more permanent.

Mr. Weber also expressed that the Old Farms Road Bridge is fantastic; it is a nice focal point for our Town. He requested at some upcoming meeting to learn how the new police accountability bill will be affecting us, in particular Avon. The Town Manager responded that we are trying to quantify the cost regarding the bill and legislature has indicated that there will be up to \$4 million available subject to approval of the Bond Commission to meet the requirements of the bill and will

likely be distributed based on wealth; the bill operationally changes the way that all police departments are going to have to do some things; on a recent webinar it was stated that several provisions were on the face unconstitutional in direct contrast to longstanding precedent determined by the Supreme Court; we might see amendments to the bill in the next legislative session.

Chairperson Maguire congratulated the Avon High School seniors on their graduation and commended the Board of Education and everyone involved with the celebration. She recognized Tessa Robertson for helping find a neighbor's lost dog and the Town Manager shared the story.

VII. OLD BUSINESS

19/20-37 Appointment: Building Code Board of Appeals (D – 12/31/2023)

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

RESOLVED: That the Town Council table agenda item 19/20-37 Appointment: Building Code Board of Appeals (D – 12/31/2023) to the September 3, 2020 meeting.

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

19/20-50 Avon Volunteer Fire Department Long Range Planning

Chairperson Maguire commented that Council went through all of the facilities and apparatus and their needs and what can we do to help with apparatus, retention, and recruitment; we have a good working relationship with the Avon Volunteer Fire Department (AVFD). This might be best served through a working committee with various Town staff. She noted that Mr. Speich, as past President of the AVFD and a Council member, has agreed to be our liaison between the AVFD and the Town, attend these meetings, and report back to Council with updates.

The Town Manager commented that the AVFD was founded in 1947 and we have been very intertwined over the years; we have developed a very strategic relationship; we provide 95% of their operating budget, we own most of their buildings, we provide almost all of their capital dollars for apparatus, and directly support them with back office assistance so volunteers can be out doing what they do best, training and serving the community. He noted that at the conclusion of every budget year, there is a sense among most departments that they would have liked to have more; the AVFD falls under this category. He added that a working group gives us an opportunity to look at how the dollars that we provide the AVFD can be used in the most strategic manner, in addition to other services that the Town can provide to offset their overhead. He noted that we want to include folks in this working group who really know the inner workings, perhaps the Alex Trujillo-Deputy Director of Public Works, Bruce Williams-Director of Public Works, himself, and Jamie DiPace; on the AVFD side, Fire Chief Bruce Appell, President Mike Galliher, Assistant Chief Tom Kline and any other subject matter experts they deem necessary. He added that we can nail down recruitment and retention, look at our neighbors, what changes can we make, what can we afford; same idea with the apparatus, how do we want to set this up strategically and methodically and not just triaging from year to year.

Mr. Speich expressed that he would be more than honored to serve in the working group with a lot of experience in the AVFD over the years and working with the Town for a number of years; he

looks forward to help to organize and bring forth the Councils' thoughts to the AVFD; the AVFD could utilize a long-range plan which could be good for all of us; recruitment and retention is a big thing; we want to keep AVFD volunteers as long as we possibly can and help as much as we can along the way; set priorities, looking at what is important, look down the road beyond the next budget cycle so we can be prepared as a Town. Chairperson Maguire appreciates his time and commitment on this.

Mr. Polhamus commented that it is a real luxury to have Mr. Speich onboard and this is a great direction for us to go in. He added that the benefit of having a committee would be minutes to look back on and a higher level of transparency. He is in favor. Chairperson Maguire responded that these meetings would be recorded while they are conducted virtually. The Town Manager added that after every meeting we will keep notes and a running list of items being discussed and status. Mr. Speich responded that is a good idea.

Mr. Bernetich commented that it sounds great.

Mike Galliher, AVFD Board President, commented that we look forward to working with you; this will lead to good things.

Council gave consensus to move forward with an informal working group, fluid, well-kept records, and Mr. Speich as our liaison with the group.

VIII. NEW BUSINESS

20/21-01 Technology Lease/Purchase Approval (Board of Education)

Heather Michaud, Director of Fiscal Affairs, reported that more so this year than other years we need this technology and have a wonderful relationship with this vendor; this lease is in the FY 20/21 budget; we can move forward with the commitment pending approval by both Town Council and the Board of Finance. Dr. Bridget Carnemolla, Superintendent of Schools, was also in attendance. Chairperson Maguire thanked them and Debra Chute, Board of Education Chair, for all they are doing with the school re-opening; the Town is ready, willing, and able to help with any type of resources and anything we can do to help facilitate. Dr. Carnemolla expressed thanks. She clarified that this lease is within our budget and not over and above what we had budgeted for. Mr. Speich thanked all of the teachers and parents and everyone else that has to go through this challenging time. He inquired how we help Avon students with Wi-Fi service. Dr. Carnemolla responded that we provided assistance in the spring also; Xfinity was providing free service; we are putting that information out to our families and will work with anyone that needs our assistance in getting it done. Mr. Weber inquired whether or not the cost of these chrome books would be offset by any money available through federal COVID-19 funding. Dr. Carnemolla responded that we are receiving about \$83,000 through the CARES Act to purchase additional chrome books. Chairperson Maguire thanked the entire school staff and we appreciate what you're doing. Dr. Carnemolla thanked Council for their support.

On a motion made by Mr. Weber, seconded by Mr. Bernetich, 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 880 chrome books of

which 750 will serve as replacements for end of life equipment and 130 to be distributed to Kindergarten classrooms to move away from a shared cart model, in an amount not to exceed \$282,500.00, or annual installments of \$70,625.00.

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

20/21-02 Lights at AHS Synthetic Turf Field and Track

Chairperson Maguire reported that when the Town issued its 2020 bond to finance the AHS Synthetic Turf Field and Track Project and some costs related to the Town and Public Safety Communications System Replacement Project the Town received a sale premium of approximately \$465,000 with respect to the AHS Synthetic Turf Field and Track Project; this money can be used to offset debt service or take care of a portion of capital that is related to the project; it made sense to look at what was next on the list of capital items for the project; the idea of lights has been part of the plan going back to the Recreation and Park Facilities Master Plan; with the project was completed we focused on getting the field done and worrying about lights as a fundraising effort or down the road; we have had a great fundraising effort by ACORN raising approximately \$140,000 in a year's time and has a lot of interest and commitment from people who would be using the fields; the timing of this is not good being in the middle of a pandemic but it is an opportunity with this money that can be used for the project and we have already laid the ground work and BSC Group can help us move forward. She noted that tonight is a conversation; no vote will be taken; Council will listen to the community; if Council decides to give consensus, then bid documents would go out, the market could be competitive, and we will obtain a real number at which point there would actually be a vote, sometime around January/February 2021.

John Carlson, 28 Sudbury Way, asked if the "excess" funds can be used for other capital items with the Town or school district. He also asked where we are with the doing the necessary remediation to the schools to allow them to open again, has that money been found, expended, etc.? Are lights the highest priority for us for this almost \$500,000 as we move forward? Chairperson Maguire responded that this money can only be utilized for debt service or for capital items related to the turf and field project. Mr. Carlson asked why we wouldn't use it for debt service which would free up other funds to do the remediation that is necessary to open these schools unless we have already done that remediation. The Town Manager responded that in terms of what the schools will require for remediation we do not know what physical improvements they are going to have to make. Chairperson Maguire commented that we are going a little bit deeper in the bid process but not possibly committing for another four or five months. The Town Manager commented that this a conceptual conversation for Council tonight to determine if you have any interest in moving forward; if you do the appropriate next step is for him to talk to the architect and engineer used for the initial project and have them sharpen their cost proposal and scope to bring the Town through finalization of the drawings and the bidding process and bring back to Council a definite number. He noted that at the next meeting he would come back with what that proposed number may be for the due diligence, probably in the range of \$4,000-\$5,000, get an appropriation for that funding and would also require the approval of the Board of Finance at the end of September; for BSC Group to finalize documents and out to bid you are into late fall/early winter at that point, then we would come back with a recommendation from the lowest qualified bidder and would know exactly what kind of dollars we are talking about.

Susan Rietano-Davey, 11 Edwards Road, ACORN President, reported that ACORN, a volunteer organization, has been raising funds for the lighting project; the Board's original commitment was to work for one year to raise the \$400,000 needed for the project; they appealed to the Town; the Town spent approximately \$70,000 to install the stanchions during the original turf and field project, the Board of Education pledged \$30,000; just under \$150,000 was raised by ACORN through February 2020; the campaign was paused in March due to COVID-19; their big concern is that the Board committed for one year, she will stay on for as long it takes, but other members will be done; another concern is not knowing when we can resume the campaign and raise the remaining \$150,000 of which half would have been coming from grants that are no longer available due to COVID-19; we have \$150,000 sitting in the bank who donated in good faith with no firm promise but an expectation that we would be spending their money in a year and donors could very easily be asking for their money back; we are thrilled to know that the Town is willing to work with us. She noted that Musco Lighting have been approved at a federal and level and does not require a municipality to go out to bid; Musco is gold standard for school and institutional lighting. She added that the expense is for the lighting poles, the actual light fixtures, and some electrical work; the original quote from 2018 went up about 5% as shown in a new quote at the end of 2019. She would argue why we would wait if we can get support from the Council and provided it does not have to go through a bid process and we have a solid price quote, so why wait until January 2021. She noted that right now the Town is suffering a number of negative things during this pandemic and what better way to celebrate the start of a new school year with great energy than to do it with a lighted field to be used for games and ceremonies. Chairperson Maguire thanked Ms. Rietano-Davey and the Board for all of their work with this. Ms. Rietano-Davey noted that forty institutional donations were four figures and one five figure donation and almost two hundred fifty individual donations; the average donation is about \$243; there is good support. The Town Manager commented that we are willing to look at the ACORN Board has, but standard operating procedure, especially for a project this size, is to go through a competitive bidding process.

Susan Reboul, 23 Sudbury Way, requested that the following remarks be made part of these meeting minutes. While we do not have any issues with light themselves, the timing of this discussion, source of potential funding and the Town of Avon's interest in possibly moving this project forward raises some serious concerns that we wish to share with the Town Council and Town Manager. With the understanding that bond premium dollars have now become available (that never expire and can be used at a future date) and there is a consideration that these dollars may potentially be used towards some aspect of the lighting project, we do believe it is important to have an open and honest conversation regarding the following concerns:

- When the Town went to referendum, Avon residents voted for the Turf and Track project knowing the referendum dollars would not be funding lights. It was stated clearly and very publicly, many times, by the Town Council that lights were not a part of the referendum. For those who voted "yes" to fund the turf and track, it was not a vote of "yes" to have taxpayers fund lights. While we always are able to interpret and expand the scope of this project to include lights, the very words of our Town Council stating that lights were not a part of the project or referendum should continue to be honored, especially given lights are a luxury item.
- Immediately after the referendum passed, a group of Avon residents approached the Town Council and publicly pledged to raise the full amount of the funds necessary for lights through private donations. They were confident it could be accomplished. Since this time,

this group has only raised a very small fraction of the total funds needed for them. Additionally, as a result of this pandemic, they have halted their fundraising efforts. Given the significant shortfall (between what this group pledged to raise and money they have actually collected), the burden should not shift to taxpayers to cover this large funding difference simply because we want lights now as opposed to later. Simply put, the answer to not having raised all the funds necessary for lights today should not be to shift the financial burden to our taxpayers. Rather, the Town Council should honor its commitment to the tax payers that this fundraising group should be held to their original pledge to raise this money. Lights are a luxury item and there is still plenty of time for this group to raise the private donations for them.

- Taxpayers, who believe lights are a priority, have an opportunity to contribute financially to them through the private fundraising campaign referenced above. For those taxpayers, whereby this project is not a priority, they should not be required to shoulder the responsibility of funding them through their taxes nor the use of the bond premium dollars for this purpose.
- The Town Council has already contributed to this project by using our referendum dollars for the footings. It did make sense as these footings were best installed at the time the turf was. To have the Town Council then agree to contribute at a much higher level, shifts the financial burden of this project from the fundraising organization that pledged to raise all the funds for this project directly to the taxpayer, who never voted "yes" for it. This does not seem appropriate for many reasons.
- Given the pandemic, this turf has yet to see it full and intended use. As a town, we have no experience with turf. At present, the Board of Education nor the Town Council are able to predict the issues that may arise once full use has begun. Simply put, we do not know what we do not know. Rather than use the bond premium dollars for a luxury item, such as lights, it may be best to reserve them for unforeseen enhancements that are part of greater necessity or functionality once the turf has been put to its full and intended use. While we always believe nothing will happen, it usually does.
- More than any other point above, let's consider using these funds to offset debt service. During this pandemic, the Town of Avon took the extraordinary step of implementing a 0.0% tax increase for this upcoming fiscal year. In addition to wide ranging budget cuts, this was also made possible by the removal of \$1.8 million dollars from our unassigned fund balance. We all know these dollars must be replenished. Why would we not take into serious consideration using the bond premium dollars to offset debt service, freeing up funds that can then be used to replenish the town's unassigned fund balance (or a project of necessity)? With no idea when this pandemic will end, we do not have the luxury of waiting to pay back our unassigned fund balance. We do have the luxury of waiting for lights to be funded by the very Avon residents who pledged to raise the private donations to cover their costs.
- With the unknown and yet to be determined increase in costs both the Town of Avon and the Board of Education will face as the result of COVID 19, it is fiscally responsible, if not necessary, to take a "wait and see" approach for the use of these funds. It is my understanding that the bond premium dollars newly available do not have an expiration

date. We do not need to use them now as they can be used at any point in the future. With time, the Town of Avon can best assess their greatest use. Why not wait and allow time to determine their best use as we move through this pandemic and its long ranging financial impact?

Please understand, we have no issues with the concepts of lights. These above concerns regarding lights all address the timing of lights and their appropriate source of funding. As taxpayers, we are very concerned about shouldering the financial cost of a luxury project we did not vote "yes" to fund as well as the depletion of the town's unassigned fund balance and other areas of greater financial need. Using these bond premium dollars to offset debt service, rather than funding a luxury item, should be a serious consideration given the Town of Avon faces a pandemic with long ranging and unknown financial impact. After careful consideration, should the Town Council decide to put this lighting project out to re-bid, we do have a simple and reasonable request. As part of this re-bid process, we would respectfully request the Town of Avon re-bid for buffering as well. Initially, a comprehensive buffering plan was established for when lights were a part of turf and track plan. When lights were removed, the buffering plans were scaled back to near minimal levels. This made sense as with no lights, no buffering would be necessary. The minimal buffering that was put in with the turf was recognized to be insufficient if lights were put in. As part of the re-bid for lights, we should also take the responsible step of having the architect re-visit the buffering plan, bringing them up to effective levels. The buffering plans need to be given the same care and consideration as the lighting plan. Both are equally as important. Please request a re-bid for sufficient buffering as part of any re-bid for the lights. Thank you for all your consideration. Chairperson Maguire thanked Ms. Reboul for her comments. She added that in light of the way these funds became available it is something that should at least be looked at. She also thinks that reviewing the buffering is certainly something that we can look at again. She added that this is something that is very fluid; we do not know when it will happen yet. Ms. Reboul added that when private residents step forward to raise dollars there should be policies in place for what happens when you cannot raise those dollars; we cannot always prioritize projects and suddenly shift things because a private resident group hits a stumbling block; this puts the Town in a challenging and unfair position because those projects then get shifted to the taxpayer which is not typically how the Town has done that in the past; she would like that to be looked at. Chairperson Maguire responded that the Town has always tried to partner with various groups as they come to completion on things and throughout that time period; we were a big part of the Avon Middle School tennis courts; that is something that we are here for; the lights were always something that we wanted to have done; if the potential use of bond premium had not come up this conversation would not be happening. Ms. Reboul responded that we specifically voted on a plan that did not include lights and now suddenly my tax dollars are being used in a different way and feels uncomfortable and she would have to question every future referendum. Ms. Rietano-Davey commented that she was excited to hear that Ms. Reboul is behind the lights now; we are at 60% of the goal and would not expect that the prices will go up in this climate; there were no discussions between ACORN and the Town in May about money; she, representing ACORN, wrote to the Town Manager and Chairperson Maguire explaining their situation.

The Town Manager emphasized that this source of funding is not something we talk about often, but it is not the first time that Avon has gone to the market and as part of the sale of the debt the underwriter has provided us with a premium for our bonds. He noted that the Town gets a lump sum payment at the closing when we take possession of the funds and those dollars are restricted because of the tax exempt status of the debt that was issued; bond counsel has to opine on the use

of that money; there are two options: use the funding to apply towards future debt service payments apply to capital project(s) that are somewhat related to the initial scope of the project that was approved at referendum. He added that the dollars do not evaporate; there are rules regarding how long you can hold onto them.

Mr. Speich inquired that since this funding was related to bond issued for both the Public Safety Communication System Project and AHS Synthetic Turf Field and Track Project could it be used for either project. The Town Manager responded that you cannot exceed the total amount of the appropriation; it would be easier to use Unassigned Fund Balance on a temporary borrowing basis and then reimburse ourselves. Mr. Speich commented that he is concerned; this is a bad time in history for all; concern for enough money for the schools and that the Town is properly funded for what we have ahead. He thinks we should go out and investigate the lights; maybe the economics would be good; he would be in favor of moving forward and spending the funds needed to get the bidding process going; his experience with watching games under the lights is favorable and from a neighborhood standpoint should be acceptable and we could also explore additional buffering.

Mr. Weber inquired if the funding can be applied to general debt service or specific to this capital project. The Town Manager responded general debt service which includes this capital project; it would be applied to the overall line. He added that you don't have to use these premium dollars in one year. He thanked Mr. Carlson, Ms. Reboul, and Ms. Rietano-Davey for sharing their opinions. He is in agreement with giving careful consideration for what to do with these funds. He would like to explore the cost of the lights.

Mr. Polhamus thanked everyone for their comments. He has donated to ACORN; he wants the lights to happen; how to fund it is the question; there is also the question of urgency; with COVID-19 we don't know how the schools will open up or what fall sports will look like. He asked if portable lights could be brought in until permanent lights are installed. Chairperson Maguire responded that there could be the potential for generator leaks which could cause damage to the turf field; they are loud and those lights could spill over but may be a temporary option; the Booster Club rented them for Spirit Week in the past. He noted that this is not the same priority as several other things but there are high school students that are aiming for scholarships and full extracurricular experience. He noted that part of what the Town Council does is to help provide for those experiences but at a reasonable cost. He would support going out to bid.

Council gave consensus to move forward and go through the bidding process for turf field lights. The Town Manager noted that he will talk with BSC Group, firm up a scope of work and an estimate and will come back in September with the request for a supplemental appropriation that will allow us to go through the bidding process and assuming Council approves it, it would then go before the Board of Finance later that month. He noted that the number of night uses for lights on the turf field is capped at fifteen for the first year, per the use policy approved by the Committee. Chairperson Maguire commented that as we move forward we could form a committee to look at the overall use of the lights.

20/21-03 Education/Awareness: Diversity/Implicit Bias

Glenn Grube, Library Director, Alan Rosenberg, Director of Social Services, and Suzi Alexe, Youth Services Coordinator, were in attendance. Chairperson Maguire thanked them for everything they are doing during this pandemic and staying involved with the community.

Mr. Grube provided highlights from the first session on Cultural Humility Training, being open to different cultures and what can I learn. He noted that although it was a long workshop, it was fruitful; the intention was to build community among the participants; Kamora Herrington runs Kamora's Cultural Corner in Hartford and works on a variety of training. He noted that teens actively participated and represented Avon well in that they had a lot of say and a great perspective. He added that in addition to this program, we also hope to do release a racial justice reading list, watch movies, and listen to podcasts on topics related to diversity, inclusion, and equity. We would love to do all of this person when we are allowed.

Mr. Rosenberg noted that we thought it was important to include the Youth Services Advisory Board as part of the process to encourage teens and families to get involved which was successful. He added that this is a good first step; we look forward to holding future forums to increase public awareness to these issues. Chairperson Maguire commented that what you are doing is amazing and great. Mr. Rosenberg suggested a Farmington Valley community conversation on racism. Ms. Alexe reported that she is on the CT Youth Services Advisory Professional Development Committee and Avon is leading this; Kamora will be moving onto other towns. She noted that the program was well received. Chairperson Maguire inquired if the sessions were recorded. Mr. Grube responded that they are recorded but the intention was for Kamora to build out the next two sessions and didn't lend itself to re-watching. He added that part of our agreement with Kamora she will provide a written report following the three sessions with her take-aways and suggested next steps; that is a deliverable to help us with where we go next. Chairperson Maguire asked if there was an opportunity for partnering with the schools. Mr. Grube responded that he spoke with Dr. Carnemolla and they have a lot of other things to get wrapped before the end of August but based on participation from Avon High School students they will likely want more of these sessions. Mr. Rosenberg commented that we would support any efforts by the Board of Education to ensure their anti-racism and social justice and equity efforts in any way we can.

Mr. Weber thanked everyone for spearheading this initiative. He is eager to hear from Kamora. He asked if she would be able to come before the Council with her report. Mr. Grube will check with Kamora. Chairperson Maguire commented that would be informative and beneficial. Mr. Weber commented that anything that the Town can do to promote these events please let us know.

Mr. Polhamus suggested that in addition to have Kamora come before Council, also perhaps members from the sessions. He thanked everyone as well; it was a great workshop thus far.

**20/21-04 Review, Discussion, Set Public Hearing: Fisher Meadows Lease
(Sub Edge Farm)**

Chairperson Maguire commented that the Phillips have done so much for the community. She noted that the Phillips are ready to expand their operations and are interested in leasing the east side of Tillotson; we need to schedule and hold a public hearing regarding leased property. The Town Manager noted that with the Logue lease expiring, the Phillips submitted a proposal that has been reviewed by Town staff.

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

RESOLVED: That the Town Council set a public hearing to be held at their September 3, 2020 meeting to consider and authorize the lease of portions of Fisher Farm located on the east and west

sides of Tillotson Road to Rodger and Isabelle Phillips (the “Lessee”), each individuals having an address at 199 Town Farm Road, Farmington Connecticut.

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

20/21-05 Review, Discussion, Set Public Hearing: False Alarm Fee Ordinance

Chairperson Maguire reported that there have been 900 false alarms, both residential and businesses, over the last two calendar years; approximately 100 additional false alarms were cancelled by the homeowner, business, or an alarm company; residential alarms account for 60% of all alarms. Jim Rio, Director of Police Services, reported that it has been a trend for many departments to initiate an ordinance or policy regarding false alarms; the risk is low but there is potential for a tragedy to happen with false alarms; it also takes officers off task.

Mr. Speich asked if this ordinance will pertain to false fire alarms also. Mr. Rio responded yes. Mr. Weber asked how cancelled alarms would be treated prior to arrival. Mr. Rio responded they would not generate a false alarm.

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

RESOLVED: That the Town Council set a public hearing to be held at their September 3, 2020 meeting to consider and permit all interested persons to speak out on the plan of the Town Council to amend and restate Town Ordinance Chapter 15 – Emergency Services. The recommended changes will be to Sections 15-21 through 15-26.

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

**20/21-06 Appropriation from Police Special Services Fund (Fund 7):
Three Police Vehicles, \$145,000**

Mr. Rio reported that we hope by the end of the year to have all old fleet replaced. The Town Manager noted that we are making a lot of progress; we will try to sell the old fleet.

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

RESOLVED: That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed \$145,000 from Police Special Services Fund, Other Financing Sources, Unassigned Fund Balance, Account #07-0390-43913, and transfer from Police Special Services Fund, Other Financing Uses, Interfund Transfer-Out, Account #07-8700-58000 to Capital Projects Fund (Facil & Equip), Town-CIP Equipment, Vehicles, Account #02-4844-53311, and Capital Projects Fund (Facil & Equip), Other Financing Sources, Interfund Operating In, Account #02-0390-43918 in the amount of \$145,000, for the purpose of replacing three aged fleet vehicles: 2007 Tahoe (1) and 2008 Crown Victoria (2).

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

20/21-07 Fire Fighter Tax Abatement

Chairperson Maguire reported that we are thankful to have our volunteers and have been given a tax abatement by which their taxes are reduced by \$1,000 through a public act. She noted that the State has increased that to \$1,500 for 2020 and to \$2,000 in 2021. The Assistant Town Manager provided highlights regarding the current ordinance. She noted that there is a point system. On

the October 2020 Grand List for the FY 21 budget it is an approximate \$42,000 loss of revenue to the Town. Council can opt to choose to increase the abatement retroactively to the October 2019 Grand List, or apply the increase beginning with the October 2020 Grand List and incorporate it into our revenue projections for the FY 22 budget, or apply it to the October 2021 Grand List for the FY 23 budget to increase to \$2,000. The Town Manager recommended going with the October 2020 Grand List.

Mr. Bernetich would like to see this get pushed through and would work as a good retention tool, especially after 25-years of service; we need the experienced fire department members.

Mr. Polhamus commented that a \$2,000 abatement is a good deal and is in favor of this and applying it to the October 2020 Grand List.

Mike Galliher, AVFD Board President, commented that part of what changed Public Act 19-36 was that a 25-year benefit was enacted in which a member can receive a lifetime benefit.

Council gave consensus to move forward using the October 2020 Grand List. The Town Manager reported that a public hearing will need to be scheduled at your September meeting.

**20/21-08 Review, Discussion, Set Public Hearing: Acceptance of Easements,
Old Wheeler Lane Bridge (Local Bridge No. 05850)**

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

RESOLVED: That the Town Council set a public hearing to be held at their September 3, 2020 meeting to consider the acceptance of full and perpetual easements from the State of Connecticut, Department of Transportation as acquired from O.W.E. Association Inc., map number 16/01, Avon Land Trust, Inc., map number 16/02 and Eric D. Snyder, map number 16/03 and recorded in the Avon Land Records.

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

**20/21-09 Review, Discussion, Set Public Hearing: Acceptance of Easement,
Connecticut Water Company (Avon Village Center)**

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

RESOLVED: That the Town Council set a public hearing to be held at their September 3, 2020 meeting to consider the acceptance of all that certain piece or parcel of land, situated in the Town of Avon, State of Connecticut identified as “Easement Area #3 To Be Conveyed To Connecticut Water Company Across Property Owned By The Town of Avon Area = 2,048 Sq. Ft.” on map entitled “Easement Survey, Easements to be released by The Connecticut Water Company And Easements to be Conveyed to The Connecticut Water Company across The Property of Avon Town Center, LLC & The Town of Avon, 55 Bickford Drive, 21 Ensign Drive, Climax Road & Climate Heights, Avon, Connecticut, Scale 1” = 40’ Project: 105-86” prepared by Godfrey Hoffman Hodge, LLC and dated December 3, 2019.

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

20/21-10 Eagle Scout Proclamations

Chairperson Maguire read the proclamation aloud for the following Scouts that will become an Eagle: Daniel Patrick O'Brien and Samuel Jorge Schwarzhaupt.

July 30, 2020

Permit the Town Council to join your many friends in offering our heartiest congratulations upon your achievement as an Eagle Scout.

This is indeed an appropriate honor for the many years you have spent as a Boy Scout. Through the years you have spent in scouting you have had to show qualities of leadership, integrity, loyalty, and service to your troop, community, school, religion, and your friends.

The high standards of the Boy Scouts of America are well known and your elevation to Eagle Scout most certainly attests to your fulfillment of their high standards.

Congratulations on your outstanding achievement!

20/21-11 Approve Resolution: COVID-19 FEMA Reimbursement Submission

The Town Manager reported that this has been recommended by OPM and will allow us to be ready when it is time for them to accept our reimbursement request. The Assistant Town Manager noted that we have to submit to OPM by August 31st for our expenditures through June 30th, but cannot submit until we have heard from FEMA.

Mr. Polhamus inquired how revenues are looking regarding COVID-19. The Town Manager responded that as of the end of today we are at 44% collected which is about \$4.5 million less than last year; we expect that by the time we get through the envelopes postmarked July 31st that variation will drop to about \$2 million. Chairperson Maguire noted that the tax deadline date was also extended to October 1st. The Town Manager noted that our conveyance tax and building permit revenues are strong. In response to a question from Mr. Weber regarding Sycamore Hills Pool memberships, the Town Manager responded that they will likely be significantly less due to people being uncomfortable with its use and the scheduling guidelines in place.

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

RESOLVED: That the Town Manager, or his designee, is hereby authorized to submit requests for reimbursement of the Town of Avon's COVID-19 related expenditures to programs for which municipalities are eligible, including, but not limited to, the Federal Emergency Management Agency (FEMA) Public Assistance Program and the State of Connecticut Office of Policy and Management (OPM) Municipal Coronavirus Relief Fund (CRF).

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

20/21-12 Acceptance of Gift: Town of Avon Special Needs Fund, \$2,500.00

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

RESOLVED: That the Town Council accept the gift of \$2,500 from the Sharon R. O'Meara Fund at the Hartford Foundation for Public Giving.

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

20/21-13 Approve Fiscal Year 2021/2022 Budget Calendar

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

TOWN OF AVON FY 2021/2022 BUDGET CALENDAR

ACTIVITY	RECOMMENDED DATE	LATEST DATE PER TOWN CHARTER
Capital Budget Forms Prepared and sent to Departments	August 10, 2020	
Operating Budget Forms Prepared and sent to Departments	September 11, 2020	
Completed Capital Budget Forms returned to Town Manager	October 02, 2020	
(a) CIP Budgets presented at Town Council Meetings by Department Heads	Nov. – Dec. 2020	
Completed Operating Budget Forms returned to Town Manager	November 06, 2020	February 15, 2021
(a) Town Manager meets with Department Heads to review budget submissions.	Nov. – Dec. 2020	
(b) Town Manager makes recommended reductions.	Dec. 2020 – Jan. 2021	
Town Manager's Proposed Operating and Capital Budgets submitted to Town Council	January 22, 2021	March 01, 2021
Board of Education Budget to Town Council	February 05, 2021	February 15, 2021
(a) Town Council holds Special Budget Workshop.	February 2021	
(b) Further reductions are made by Town Manager's Office if necessary.	February 2021	
Capital Improvement Program Submitted to Planning & Zoning Commission for Sec. 8-24 Review	March 16, 2021	
Budget Work by Town Council completed and Budget submitted to Board of Finance	March 22, 2021	April 01, 2021
Public Hearing on Budget held by Board of Finance not later than three (3) weeks before May 03, 2021 Town Meeting	April 05, 2021	April 12, 2021
(a) Board of Finance holds evening Budget Workshop(s) with Town Council and Board of Education after the Public Hearing.	April 07, 2021	
Board of Finance Completes Work on Budget	April 2021	
Copy of Budget approved by the Board of Finance printed in Newspaper at least five (5) days before the Annual Town Meeting	April 28, 2021	April 28, 2021
Annual Town and Budget Meeting First Monday in May	May 03, 2021	May 03, 2021
First Referendum	May 12, 2021	May 14, 2021
Second Referendum (if necessary)	June 02, 2021	June 04, 2021

Third Referendum (if necessary)	June 23, 2021	June 25, 2021
---------------------------------	---------------	---------------

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

20/21-14 Resignation: Committee on Aging (R – 12/31/2021)

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

RESOLVED: That the Town Council accept with regret the resignation of Jo An Clark from the Committee on Aging.

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

20/21-15 Resignation: Youth Services Advisory Board (12/31/2021)

Chairperson Maguire noted that Dr. Perrault has retired from Avon Public Schools and as a result from the Youth Services Advisory Board as well.

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

RESOLVED: That the Town Council accept with regret the resignation of Dr. Ann Perrault from the Youth Services Advisory Board.

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

20/21-16 Resignation: Central Regional Tourism District

Chairperson Maguire noted that Ms. Weiner-Anstey has been involved in so many things for the Town through the years; Avon Day was her signature event; we appreciate all that she has done.

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

RESOLVED: That the Town Council accept with regret the resignation of Nancy Weiner-Anstey from the Central Regional Tourism District.

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

IX. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager noted that a recent copy of the Master Contract List was distributed to Council.

Misc. B: Construction Update: The Town Manager noted that we are paving Brian Lane, Holly Lane, Henley Way; we have received several calls from residents on Old Mill Lane of which we have explained our pavement management program and funding allocation. He reported that we continue to work on the Town and Public Safety Communications System Replacement Project; the complication with the Foundland site is that when the Town acquired the property from the State in the early 1960s there are deed restrictions that say it can only be used for a public school or open space/recreation; he is hopeful that between now and September 3rd things will start to firm up and we can talk about concrete next steps. The Town Manager reported that there was a Scoping Meeting last week run by Fuss & O'Neill regarding Old Farms Road Reconstruction Project; one member of the public in attendance who spoke in favor; next is archeological work on the site; Avon Old Farms School, our partner with this project, have agreed to pay for this work.

Misc. C: Sustainable CT Update: The Assistant Town Manager reported that our application is due by August 24th; in terms of completeness we are doing pretty well; we are planning to submit for bronze certification; the staff team as well as Avon Clean Energy Commission member Bill Shea have been meeting once a month; we should receive a response by November; if not successful we receive a lot of good feedback for the next submission in April 2021. Chairperson Maguire thanked the Assistant Town Manager and the team for all of their time spent with this. Mr. Polhamus requested a copy of the application being submitted.

Misc. D: Director of Finance Recruitment: The Town Manager reported that we have received about five applications to date.

The Town Manager noted that The Valley Press will be publishing an article on the Farmington Valley Health District with regards to COVID-19.

X. EXECUTIVE SESSION: Collective Bargaining

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

RESOLVED: That the Town Council enter into Executive Session at 7:52 p.m.
Mrs. Maguire, Messrs: Bernetich, Speich, Polhamus, and Weber voted in favor.

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

XI. ADJOURN

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

RESOLVED: That the Town Council adjourn the meeting at 8:05 p.m.
Mrs. Maguire, Messrs: Bernetich, Speich, Polhamus, and Weber voted in favor.

Attest: Jennifer Worsman, Clerk