

**AVON TOWN COUNCIL
MEETING MINUTES
June 7, 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, and Pena. Mr. Speich was absent.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Maguire.

III. PUBLIC HEARING

17/18-66 Neighborhood Assistance Act

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:

"LEGAL NOTICE

NOTICE OF PUBLIC HEARING

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

To consider participation in the Neighborhood Assistance Act in accordance with Public Act 95-268.

Dated at Avon, Connecticut this 4th day of May, 2018.

Brandon L. Robertson
Town Manager"

Chairperson Maguire reported that the Town serves as a conduit for the Neighborhood Assistance Act, a tax credit program designed to provide funding for municipal and tax exempt organizations. She noted there are several people in attendance who will be taking to some of the things they are applying for.

Jennifer Bennett, Senior Center Coordinator, Avon Senior Center, commented that the Senior Center is doing different kinds of programs because they are getting a lot of newer people coming to the Center. She wanted to start a program for digital cameras and picture-taking at the Center and is asking for \$350 for a digital camera and related equipment because she wants to enhance and expand their programming. She noted that people are excited about technology and learning and get help from the seniors to take pictures at all of their programs.

James Griffin, The Sam & Elizabeth Colt Industrial and Frontier Heritage Center, commented that their request this year is to help the Park Service, restore the windows and replace the roof on the two brownstones from 1855 located behind the building with the blue dome; they were never meant to be showplaces for people to see; we have to deconstruct in order to reconstruct

and received money from the Rockefeller and Gamble families; the Park Service has been authorized to do the park but not appropriated any money. He also shared some pieces of history, i.e. Sam Colt's original hand drawn concept of the revolving pistol February 25, 1836; if it were to go on auction it would probably start at \$20 million; 247 photographs of Teddy Roosevelt in 1909-1910 on an Africa safari from the Gamble family through Kermit Roosevelt who then came back and saw Professor John Weir and on that meeting was based the founding of the Park Service. He noted that they will be on display as part of the Park Service. Mr. Griffin shared twenty-six handwritten letters from Elizabeth Colt to Sam Colt dated 1847 through 1864 and are gifts from the great-great-great-great grandnieces of Elizabeth Colt who live in New Hampshire. Mrs. Maguire thanked Mr. Griffin for sharing the items with us.

Mark Rinaldo, Chief of Police, commented on the Drone Unit proposal; drones are expensive but they are a good piece of equipment so hopefully we will get some funding for that; we have three officers that are drone pilots now. He noted that Officer Lundell is a drone pilot and has his own and brought it up at the Tournament this past weekend and took a picture; it is also a good public safety tool. Mr. Pena commented on the price. Chief Rinaldo responded that they can go up to \$30,000 but our quote was for a \$10,000 unit for a median range one which is really what we need now. Mr. Stokesbury suggested regionalizing for a drone. Chief Rinaldo responded that he is pushing the regional chiefs on that. Mr. Bernetich commented that he bought a drone for about \$500, takes perfect pictures, 2-mile range, a DJI Phantom 3SE. Chief Rinaldo commented that Officer Lundell is the expert in this area; we are also looking into the insurance for the drone; it would be a great asset to the Police Department and Town as a whole. He commented on the Bicycle Patrol Unit proposal; their request is for a fat bike that can be used anywhere. Mr. Stokesbury questioned if the application is for a duplicate bike. Chief Rinaldo responded yes. Mr. Pena commented on seeing a pack of police on bicycles on Fisher. Chief Rinaldo responded that was the West Hartford bike school who were having training and we have two officers in that school for a one week training course through the International Police Mountain Bike Association and Sgt. Jacius is an instructor. Chief Rinaldo commented on the Police Department ID Maker proposal that we use for amber alert and have to make IDs for Town employees (CALEA standard and for safety) and desperately need that and looking for funds now if it doesn't come through with the Neighborhood Assistance Act. Chairperson Maguire commented that they go to the schools and do this. Chief Rinaldo responded that the Rotary Sgt. Gannon sets that up. Chairperson Maguire asked the Town Manager when we hear back on the Neighborhood Assistance Act proposals. The Town Manager and Assistant to the Town Manager responded around September. Ms. Bennett noted that the money doesn't typically arrive until January.

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

RESOLVED: That the Town Council close the public hearing.

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

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

RESOLVED: That the Town Council approve the following requests for submittal to the Department of Revenue Services:

- a) The Sam & Elizabeth Colt Industrial and Frontier Heritage Center – \$150,000.00
- b) Avon Volunteer Fire Department - \$150,000.00

- c) Avon Police Department (Bicycle Patrol Unit) - \$1,500.00
- d) Avon Police Department (Drone Unit) - \$10,380.00
- e) Avon Police Department (Police Department ID Maker) – \$1,099.99
- f) Avon Senior Center - \$350.00
- g) Nutmeg Symphony Orchestra - \$65,310.00
- h) The Children’s Museum Inc. (Educational Programs Outreach Van) – \$4,441.00
- i) The Children’s Museum Inc. (Energy Efficient Lighting and Display Systems) - \$74,274.00
- j) The Children’s Museum Inc. (Educational Programs Support Truck) – \$35,021.00
- k) The Children’s Museum Inc. (STEAM-based Educational Programs and Demonstration Exhibits - \$23,011.00
- l) The Children’s Museum Inc. (Green STEAM Families-Learn-Together Project) - \$12,533.00

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

IV. MINUTES OF PRECEDING MEETING: February 24, 2018 Budget Work Session
May 3, 2018

One correction to the February 24, 2018 Budget Work Session was made as follows:
On page 2, Ann Dearstyne, Town Clerk, did not attend this meeting; Grace Tiezzi, Assistant to the Town Manager was Acting Town Council Clerk.

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

RESOLVED: That the Town Council accept the minutes of the February 24, 2018 Budget Work Session as amended.

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 May 3, 2018 Meeting as presented.

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

V. COMMUNICATION FROM AUDIENCE

Joan Shumway, 34 Coventry Lane, read a statement to the Town Council (which is attached and made part of these minutes). Chairperson Maguire thanked Ms. Shumway for her comments and is something we should look at. She noted that we have solar panels on top of the Avon High School and Avon Middle School and has been successful and cost avoidance.

Adam Lazinsk, 88 Deepwood Drive, commented on the mounds of dirt over at Sperry Park being excavated from behind the Town Hall and asked what the purpose is of that. The Town Manager responded that if you go back to 2007 with the Recreation Master Plan from Weston and Sampson there is a long range plan to do softball fields at Sperry Park; we did a grading plan for that site; the fill material isn’t as good as what is coming out of Fisher Meadows but the idea is to grade it off, compact it, plant it; maybe it is a future softball field but at the very least approve

the aesthetics of the site because when you get out and walk it you could still see the footprint from the old Towpath building. Mr. Lazinsk commented that you are bringing it up to grade with the rest of that parcel. Mr. Stokesbury commented a creative re-use.

VI. COMMUNICATION FROM COUNCIL

Mr. Bernetich thanked members of the Fire Department that came out yesterday; we had a stubborn fire, constructive total loss on Delbon and were there for close to twelve hours before calling it off; we had multiple crews come in and out; we saved the house, unfortunately with a lot of damage, and thanks to all for their volunteer work. He noted that his son, a firefighter, fought the fire with the rest of them; a good moment but a little scary.

Mr. Pena reported that Pine Grove had an event with the Police Department and Chief Rinaldo and the Town Manager attended as well; it was a very nice event. He asked if that will be something ongoing. Chief Rinaldo responded yes; that came through the Town Manager from one of the teachers; it was an outstanding event; the officers were impressed. Mr. Pena stated that he would like to see it continued as well. He noted that the Memorial Day Parade is his favorite event in Town and one of the few events that you see people come out, the weather was nice, it is a great event and hopes it continues every year.

Mr. Stokesbury commented that he has been tracking the work at Thompson Road bringing dirt over from Fisher, we had mountains along the roadside, if you drive by today it is leveled at street level, the area that is being graded, the top soil is basically spread; of all the things we've done in Town in the last forty-five days that is the only thing people are asking about; we had a budget, we had some meetings, we bought some land, all they ask him about are the mountains of dirt on Thompson so it teaches us something; great work, we need to get grass growing and turn brown to green; we have some events coming up in the fall to facilitate there. He commented on an old reminder and has come up a couple times in our conversations about the Old Farms Road Project and that Cider Brook culvert/bridge at the north end and how that interlays with the major road work and when we need to get that looked at and work undertaken. Mr. Stokesbury reported that the Police Department has the Avon Mountain Challenge this Sunday morning and hopefully he will be there to watch and congratulations to all for participating and organizing it.

Chairperson Maguire reported that Monday night we had a Special Town Meeting with close to ninety people in attendance and it looks like Avon is buying some land; this is a great thing, it was a momentous night, we had a great presentation from the Town Manager and his team who have been working tirelessly to make this come to fruition and to have the overwhelming support of the Town which was 81-5, final vote, to purchase this land will be a great addition for the Town and the planning for our future; thank you to the Town Manager, Town Assessor, the Assistant to the Town Manager, the Severni's, and all people who made this possible, including Mark Zacchio for being our Moderator. Mr. Stokesbury noted it is important to recognize how good of a financial plan we have for that; we already have \$400,000 allocated towards it in the approved budget so the day after we buy it we're down to \$1.6 million and burn it off in seven more years which frees up capacity; we have a lot of projects on the table and we are looking at but that will be bought and paid for before we get to the last one we are talking about right now. He urged us to continue to look at those options as we look at all of the projects. Chairperson

Maguire commented that we expect to close in mid-July; it is a real win for our Town. She also commented on the Memorial Day soccer tournament and was a great success. She thanked Public Works as the fields looked fantastic and making sure there was plenty of parking; we opened up behind the gate where the new fields are going in; there was plenty of room for parking and alleviated the mess that tends to happen along Old Farms Road and because Avon Old Farms has graduation on Sunday morning and we had places to put cars. She thanked the Police Department for being there; we had great support; the kids had a wonderful time and it was a successful event. She commented on another big event coming up – high school graduation on June 19th and noted that she and Mr. Stokesbury both have graduates this year; a big part of graduation is Project Graduation which is a substance free event we have right after graduation from 10 p.m. to 3:30 a.m. and it keeps our kids safe, from going to parties and drinking, and they come to the Middle School and it is a fun night with music and prizes; as you see seniors congratulate them and support Project Graduation, we have fundraisers throughout the year.

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

RESOLVED: That the Town Council move up agenda item 17/18-70 Acceptance of Gift: Scale Model of Town Gazebo.

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

VII. OLD BUSINESS

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

Chairperson Maguire commented this is a follow-up conversation from our meeting last week with the Board of Education; she was not there and Mr. Stokesbury so kindly chaired and she appreciates that. She has received a lot of updates on how things went. She asked if the Council would like to talk about their thoughts, what we anticipate from the Board of Education and what kind of timeline we have moving forward. She noted that we are all anxious to get things done, the Board of Education meets on June 18th so we would expect some sort of communication from them and from there move ahead to the next step.

Mr. Stokesbury commented that he took three items out of the meeting: 1) sort of out of the blue we have learned that there are some fields around the State and the northeast that are basically failing immediately after construction, most well-known to us is Guilford, the professionals also mentioned both Bristol Eastern and Central and others; they believe it is going to come down to a bad material in the mix in one of the base products and the immediate plan would be simply to not use any of the identified products that were used in those construction projects, 2) always prominent in these discussions is the infill, the type of infill, potential health risks of the infill and the lack of clear and definitive data regarding the infill, that will remain our most significant topic as the project moves forward and it will need to be solved, there will have to be a decision made at some point as to what product is used for the infill; he believes based on the testimony given at the last meeting, right now the favored is the food grade encapsulated crumb rubber and his opinion is that until someone proves that bad or finds something better that in his mind is the presumptive infill, and 3) regrouping as to how the two boards move forward and how some of these critical decisions are made: Ms. Young made note of a December 2016 memo from Board of Education to us and it really is still meant to be by consensus of the two boards with particular

note that there will be at least one representative with the Board of Education on the Building Committee; we may have to revisit that statement and ratify or revise it as necessary as we move forward. He added that it was well attended and appreciated.

Mr. Pena agreed with Mr. Stokesbury; it was well attended; we had discussion about the fill itself and the material which he thinks we had more concerns with the fill this time around. Mr. Stokesbury commented that we had a better presentation about it as well; the professionals did a much better job addressing what is known and unknown about the infill material. Mr. Pena added that overall the meeting was good to have and we will be expecting a letter from the Board of Education. Chairperson Maguire responded that the Board of Education has their meeting on June 18th and once they get back to us we need to be prepared, maybe with a special meeting, to move things ahead assuming the Board of Education is in agreement and what kind of timeline we can do to get on referendum by September/October because time is of the essence. Mr. Stokesbury noted that we are talking about consensus of the two boards and not necessarily unanimous. Chairperson Maguire noted that with the infill one thing we have looked at is an additional \$65,000 to put down a bed and pull out the infill if something comes up and it is not working or a real risk, it can be changed out; we are prepared in that kind of situation and at some point have to reach a decision that makes the most sense.

Mr. Bernetich commented on the lack of definitive health information is a little disturbing. He added that he talked to one of the coaches that was at the last meeting and has some cleats that literally melted when he was one of those fields and is going to bring them in for one of the meetings; the field in the summertime is between ten and twenty degrees higher than the ambient air and becomes unusable at a certain point; he would like to know at what temperature it becomes unusable. Chairperson Maguire commented that in September South Windsor couldn't use their field because it was so hot. Mr. Stokesbury responded that we talked about that at some length; the point is that is a risk and a demerit to the project but the overall extension of the field time both in number of days and hours is dramatically expanded notwithstanding losing a few days to heat. Mr. Pena commented they said something about a temperature of around 120. Mr. Stokesbury responded that the Athletic Director bounced a couple of numbers around but he made it clear that between the trainers, coaches, and him the fields would not be used when they are unsafe. Mr. Bernetich commented that we cannot use it for graduation anymore and did not expect that; where do we hold graduation and the cost to put it up. Mr. Stokesbury responded that you have the remainder of that open field, the baseball field and the practice field beyond it, not quite as scenic but it is on campus. Mr. Bernetich commented on the drainage issues and if it is draining off from the field and into our system that dumps into the rivers and it is draining off crumb rubber, would we ever approve putting tires into the river, into the water supply; someone else brought it up to him again; it doesn't make sense. Mr. Bernetich concluded that those are his concerns, none of them insurmountable, but just wanted to go on record, there are a lot of concerns, a lot of people are talking about and wants to make sure that we are aware before we move forward. Chairperson Maguire responded that those are great concerns. She noted that the drainage is something to think about. Mr. Stokesbury responded that hopefully the rubber product is not going downstream and trapped by the engineering design with the porous floor draining subsurface before it drains off; they were also talking about residuals and how clean that water was coming off and clearly approved on a national and state level.

Bruce Corbett, 171 Huckleberry Hill Road, commented that this seems like a very complicated issue and he appreciates your discussion on this tonight and he is sure the Board of Education has discussed this. He asked if there is a way to put a compilation of all of these thoughts together for townspeople who might better understand some of the issues involved. He commented that Mr. Pena stated the meeting was well attended but he does not know what well attended is. He noted this is a crucial issue for the Town and it is an environmental issue and generally environmental issues are extremely complicated. Chairperson Maguire responded that there is information on the Town's web site that will give a little bit more depth to this; it is an ongoing process, it has a long history, as we get closer to a consensus point, we will be holding public information meetings and get more of the information out there. It was noted that the link on the Town's web site would be brought to the home page and include the new presentation. Chairperson Maguire suggested to Mr. Corbett that he start there; we had a Committee and worked with the BSC Group and talked through everything from soup to nuts; there has been a lot of time and energy invested in this; a lot of this information is on the web site so start there and let me know what questions you have and we will address them; and again there will be public information meetings before we go to referendum; we will definitely try to communicate and answer whatever questions you have.

Adam Lazinsk, 88 Deepwood Drive, commented on a few takeaways from the meeting that he observed were that as far as the acrylic coated crumb rubber to be utilized and the scores of studies that have been done according to the Health Director, maybe the proper term isn't inconclusive but all these studies are showing the same thing, there is no glaring evidence that this crumb rubber is detrimental to players on the field; you can't prove a negative so short of proof the assumption should be that the project go forward with the acrylic coated crumb rubbers; as to just concern about drainage, the consultant spoke to that, they have to do a drainage plan with Inland Wetlands and it was his understanding from the different types of gravel base it really acts as a big filter and the water runoff really comes quite clean so not there would be a migration of crumb rubber. He commented that the Sudbury Way people have been very cooperative throughout and a year or two ago he had suggested in public comments that to address the Sudbury Way residents' concerns there really ought to be a limit as to all of the activities that could be used on that field or fields in the future; whenever he said it, he sees it as a school sports field, not an opportunity to increase parks and rec league play on that field because now you are taking it into times when the school teams aren't using it which means the evenings or weekends and perhaps that impacts the Sudbury Way residents and now all of a sudden you get pressure for having lights and that goes right to a huge concern of the Sudbury Way neighbors; although there is that capability there really ought to be a limit, particularly if you are increasing playing fields at Fisher Meadows and if you are thinking of potentially increasing playing fields on Thompson Road, perhaps there would be enough playing fields elsewhere and the parks and rec doesn't need to be at the school. Chairperson Maguire responded that she agrees. She noted that in the original agreement when they met a couple of years ago it was no more than like fifteen nights that there would be lights involved and that was during spirit week in the fall and maybe a week in the springtime and they all kind of figured it out so each team would have a time so that piece has been looked at. Ms. Roberson responded that they would respectively prefer that there not be seven days a week of play, not that there is that decision now, however that is something that continues to come back to the forefront that there is more play time, it creates more activities; seven days a week play is not the preferred; the fifteen nights with the lights was just about nights with lights and actually a compromise because

we had wanted less and working with the Town Council and the Town Manager said we would support even more than what we originally wanted so we are not fans of that field being used seven days a week and we all were under the thought process as well that it would be a school designated facility; there was questions, we were talking with you when John Carlson was there, and people say you knew when you moved in you knew you moved in next to a high school and she says she loves living next to the high school but she didn't move next to a stadium and the reason that came up is when John Carlson had made the reference about could there be concerts there and there was dead silence; we went from a turf field to what else could be done there. Chairperson Maguire responded that we want to be good neighbors and she envisions it predominantly as a Board of Education venue for games and practices; the Town has plenty of fields, that doesn't mean to say if there was a huge Cup game maybe that would get played there but without talking to the Director of Recreation and Parks and the Town Manager, she envisions this as predominantly Board of Education activities. Ms. Roberson commented that is very much appreciated and we very much appreciate you hearing us and thank you to other residents in Town who have since approached me since the meeting and said very kind things about Sudbury Way so we appreciate the support that you have given us. Mr. Stokesbury added upon Mr. Lazinsk's comments because he thinks it is a point of clarification – the Health Director made it very clear that the vast majority of the studies that are out there, some are industry paid for or peer review, looked at uncoated crumb rubber; the number of studies out there, if any, on the encapsulated product is quite small because it is a food grade product coated, the presumption based on other science he assumes is that if anything attribute dramatically better and that is where we are; the studies that are not there don't deal with the coated rubber. Mr. Pena commented on Ms. Roberson's concerns that Sudbury Way was having and wanted to clarify that a little bit because he tries his best to get out in the neighborhoods and the concerns that you are talking about are also concerns that across the street and down to Hollister and a number of places so it is not one area; many people in that area, particularly on West Avon Road have expressed that they are concerned as well; they also talk about the sound being transferred. He attended one of the Planning and Zoning Commission meetings and it was a distance away from where the noise was being made. Mr. Lazinsk spoke to that and has attended a lot of meetings and the only West Avon Roads residents that he recalls being vocal are Dan Neagle who has been very supportive of the project and Mr. Gibb across the street who hasn't been to a lot of the meetings but has been supportive and from Nebraska and all about football; there was also talk about if there were to be a stadium built part of the benefit of the stadium was to keep the sound in. He referred to Sudbury Way that was not at the exclusion of the other residents in the area. He added that regarding the temperature at turf level and Mr. Filon had said one of the work arounds is practice is earlier in the morning during the summer months and perhaps later in the afternoon; you have that ridge as the sunsets you start to get shadow across the field and there may just be times when you cannot be on the turf.

Chairperson Maguire noted that there is no action to be taken on this item tonight; we will look forward to hearing what the Board of Education has to say on June 18th. Mr. Stokesbury asked about our schedule after the Board of Education meeting. The Town Manager responded that the Board of Education meets on June 18th, shortly thereafter he'll get some feedback from the Superintendent of Schools, and your next regularly scheduled meeting isn't until the end of July and we also have a radio project that is premature at this point so you may want to get a special meeting by the end of June or first part of July, or as soon as possible; we can get what we get back from the Board of Education, Council can digest it and at the same time would be a good

opportunity to get back up to speed on the radio system project.

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

Chairperson Maguire noted that this appointment was already filled last month.

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

RESOLVED: That the Town Council remove agenda item 17/18-47 Appointment: CRCOG Regional Planning Commission – Alternate (D – 12/31/2019) from the agenda.

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

VIII. NEW BUSINESS

17/18-70 Acceptance of Gift: Scale Model of Town Gazebo

Chairperson Maguire commented we want to accept the gift of the scale model of the Town gazebo that Mr. Steve Conner constructed. Janet Conner, Avon Historical Society, reported that for the past six years she has been doing projects at the schools, library, etc. and her husband has volunteered with many of her projects and was kind enough to build the gazebo for Roaring Brook School and was in one of the walk-in glassed display cases and was a collaboration between the Art Department and Avon Historical Society, each of the kids made an orange construction paper brick and personalized it, modeled after the real gazebo where we have dedication bricks in the walkway there, kids put their names up in the wall area and on the floor; the photo attached to the model gazebo is of a kindergarten class with a teacher telling about the history of the gazebo which was actually done by the Garden Club who raised the money for it; Steve worked from an actual Town of Avon Engineering blueprint plans to make it to scale; the flowers were added in later on and was supposed to be on display for our Society tablescapes event but decided not to use it for that; we are pleased and it will be a nice little reminder; she considers it an iconic little building in Avon since we don't have a great big green like a lot of towns do and the gazebo is a nice focal point of our small green; thank you for accepting it, enjoy it. Chairperson Maguire thanked her for giving it to us, we greatly appreciate it, and we will cherish it.

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

RESOLVED: That the Town Council accept the gift of a scale model of the Town gazebo from Steve and Janet Conner.

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

17/18-71 Supplemental Appropriation: Board of Education-Open Choice, \$412,016

Heather Michaud, Director of Fiscal Affairs, commented that this is an annual event that she comes before the Town Council and the Board of Finance; normally the State disperses in two pieces but with the state of our State we only received the one payment that actually brought us up to our full allotment and received very late in March. She noted that the request is to appropriate the open choice funds which per statute need to be spent on qualified educational

expenses. Chairperson Maguire commented that it went from \$6,000 to \$8,000 per student because we have a higher percentage of open choice students.

Mr. Stokesbury commented that Ms. Michaud noted that the anticipated enrollment was 120 and asked for a final count. Ms. Michaud responded that it is 131. Mr. Stokesbury thanked and congratulated Jason Indomenico and the other Board of Education members for continuing this great program, taking advantage of the dollars and the benefits in the program.

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, Intergovernmental, Education Program Grants, Account #01-0330-43343 in the amount of \$412,016.00 and increasing

APPROPRIATIONS

General Fund, Board of Education, BOE Expenses, Account #01-9401-55000 in the amount of \$412,016.00 for the purpose of funding school programs and special education needs.

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

17/18-72 Agreement: Municipal Animal Control Officer

Chief Rinaldo reported that regional animal control agreement was converted in 2014; we contracted services with Beverly and at that time we went into an agreement where she works part-time for us and part-time in Canton; she does an excellent job; we share services with Canton and they pay 35.82% of the bill of the costs of the dog pound and the animal control vehicle and gas expenses; we bill them quarterly; we have a regional sharing agreement so if she is working in the day for us and they have something they need her for in Canton she may go over and help them; she has set hours for Avon and goes over to Canton for set hours; it really works well; she is dedicated and does a really good job.

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

RESOLVED: That the Town Council approve the Animal Control Services Cost Sharing Agreements by and between the Towns of Canton and Avon, Connecticut through June 30, 2019. Mrs. Maguire, Messrs: Pena, Stokesbury, and Bernetich voted in favor.

17/18-73 Review, Discussion & Approval: Agreement: AMR Ambulance Services

Chief Rinaldo reported that the agreement with AMR is a renewal; we have 24/7 ambulance coverage and that is advanced life support, an improvement AMR gave us a few years ago and improved our health response in Avon; they have two employees assigned to the ambulance, an EMT and a paramedic; they are required to meet 90% of the time priority one calls for most emergencies are under eight minutes and fifty-nine seconds and priority two calls is fifteen minutes; normally their response is not eight minutes and fifty-nine seconds as you see in the monthly charts we put out, usually it is between three and five minutes. He noted that one of the improvements we made years ago is to give them a portable radio; they are dispatched from AMR but we are also dispatching them at the same time; it is a seamless response time. He added that we have a Committee that meets quarterly and includes himself, Lt. Walsh, Jeremy

Rodrigo, our contact with AMR, and sometimes Dr. Kamin, our medical control; it seems to be a good group; if there is a problem with response times or with AMR we call them that day and by the end of the day we usually have an answer. The Town Manager commented that we had Mr. Rodrigo come in two years ago to do an overview of emergency medical services, the difference between ALS and BLS and how they respond to calls. Mr. Bernetich asked if there is any need at all for additional responders. Chief Rinaldo responded that if their ambulance is tied up, for example they take a patient to UCONN, they backfill with an ambulance from Farmington and they have a whole backfill procedure. He noted that at the fire scene yesterday, by contract if there is a fire they have to put somebody at the fire until it is done, a fire coverage clause, and backfill another ambulance to respond to calls for service within Town; it is adequate, when we are stressed we could use more but you never know when that is going to happen and there is no predictability; we had a ton of medicals today and fortunately they responded very well.

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

RESOLVED: That the Town Council authorizes the Town Manager to execute the agreement with American Medical Response of Connecticut, Inc. (AMR) for ambulance services for a one-year extension from July 1, 2018 to June 30, 2019.

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

17/18-74 Supplemental Appropriation: Avon Police Bicycle Patrol Unit, \$1,000

Chairperson Maguire reported that we received a \$1,000 grant from Walmart for that fabulous bicycle. Chief Rinaldo commented that Walmart is great and very supportive of what we do; they do offer the \$1,000 to us every year; they also offer us if no one else picks up the grant money that they give away to come back and get another \$1,000; it is a good partnership that we have; they treat us and the Town very well. Mr. Stokesbury questioned the price of the bike. Chief Rinaldo responded it is about \$2,200; for this particular bike we had funding in our bike account to outfit it accordingly; the bike also has a mini defibrillator so when we go out on the trail or anywhere in Town it is available.

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 Revenue, Miscellaneous Funds, Account #01-0360-43912 in the amount of \$1,000.00 and increasing

APPROPRIATIONS

General Fund, Public Safety, Patrol, Materials/Other, Account #01-2107-52239 in the amount of \$1,000.00 for the purpose of purchasing Police Bicycle Patrol Unit supplies, as stipulated in grant request to Walmart Foundation.

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

17/18-75 Request for Transfer of Appropriation for Paving Management Plan, \$36,967.71

The Town Manager reported that this is a housekeeping item; a few years ago we completed the improvements on Country Club Road from West Avon to Lovely and this is what's left after the

work is done so by approving the resolution this amount transfers from a capital account specifically setup for that project and goes into general paving management and assuming that is done we have a balance of about \$245,000 not including the funds that will become available on July 1st.

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), Town CIP- Facil/Road Overlay, Country Club Rd Improvements, Account #02-4831-53030 to Capital Projects Fund (Facil & Equip), Town CIP- Facil/Road Overlay, Road Overlay, Account #02-4831-53003, the amount of \$36,967.71, for the purpose of closing the completed Country Club Road Improvements Project and adding the remaining funds to the paving management plan. Mrs. Maguire, Messrs: Pena, Stokesbury, and Bernetich voted in favor.

17/18-76 Approval of Real Estate Tax Refund, \$46,141.72

Chairperson Maguire reported this refund request is from an appeal and it came down as a court ruling.

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

RESOLVED: That the Town Council approve a real estate tax refund to STAG AVON LLC in the amount of \$46,141.72.

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

17/18-77 Sign Tax Warrant (Rate Bill)

Chairperson Maguire reported that we need to sign the Tax Warrant; the mill rate has already been set by the Board of Finance. All members present signed the Tax Warrant/Rate Bill.

17/18-78 Review, Discuss, Set Public Hearing Date: Conveyance of a Restrictive Covenant for State Listed Plant Protection and Habitat Conservation on Certain Parcels of Land within Fisher Meadows

The Town Manager noted that the acreage on the map is correct. He reported that the State DOT has been working with DEEP to secure the permitting for this project and one of the things that DEEP is requiring before issuing the general permit for the project is that the Town agree to apply restrictive covenants on these two areas that have been identified and once applied the use of the property cannot change at all from the existing use. He noted that on the next agenda item we are recommending a supplemental appropriation from the Fisher Meadows Special Revenue Fund of \$15,000 to hire a crew to clean the place out, make sure all the trails that have already been delineated are pristine; once that deed goes into place that is the level to which we can maintain it in the future. Mr. Stokesbury commented that we can maintain what we have at that moment. The Town Manager noted that by Charter we have to hold a public hearing before agreeing to the restrictions. He noted that the plan for the Bridge Project includes a boat launch and will be in between the restrictive areas; in terms of future development we can't do anything any way, we are in a flood zone and our options are zero more or less.

Mr. Stokesbury asked the Town Manager if the legal notice will be corrected to reflect the correct acreage. The Town Manager responded yes. Mr. Stokesbury commented that in the package tonight there is a reference to funds that have been advanced out of General Fund toward the Old Farms Project and he wants to understand how and when we expect to be reimbursed for that; it is money that he thinks is anticipated to come back from the State. The Town Manager responded that for the Bridge we have not had any outlay. Mr. Stokesbury referred to the Finance Monthly Summary Report, page 2, Other Financing Sources, estimated, unaudited, unassigned fund balance as a percentage of General Fund expenditures 10.41%, use of \$400,000 from balance for the Old Farms Bridge in FY 15 has not been reimbursed and goes on to talk about depending upon when we get it impacts the unassigned balance. He was questioning what the \$400,000 refers to. The Town Manager responded that may just be a journal entry that has to be done to clean it up; there was never any Town funds that were spent on the Bridge portion before 2011 which was the year they agreed to take it over; there was some inter-fund borrowing that we did for the other section of Old Farms Road, we had a couple of supplemental appropriations from Unassigned Fund Balance that were approved with the idea that we would reimburse Fund Balance with grant proceeds and he thinks we did all of those. He will take a look into this. Mr. Pena commented that the public hearing will be on July 26th. The Town Manager responded yes so we may end up having two meetings this summer. Mr. Bernetich questioned if there would be any thought of doing a simple foot path right along the river in that blue enclosed restricted zone before we can't do anything. The Town Manager responded that there is a path on the north and the south because on the south that is a good portion of the area that we had cleaned out by the same group last year. Mr. Bernetich commented that he was thinking a foot path, two to three feet wide max, along the river that connected back to the path that circles the pond there. The Town Manager pointed out the existing path on the map and halfway through the blue area there is a path that does need to be cleared out and brings you back to the main trail that goes around the pond.

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

RESOLVED: That the Town Council set a public hearing to be held at their July 26, 2018 meeting to consider to convey a Restrictive Covenant for State Listed Plant Protection and Habitat Conservation on land designated as “TOWN OF AVON LAND USE RESTRICTION FOR STATE LISTED PLANT PROTECTION PARCEL NO. 1 AREA = 1.895+/- ha (4.68+/- ACRES)” and “TOWN OF AVON LAND USE RESTRICTION FOR STATE LISTED PLANT PROTECTION PARCEL NO. 2 AREA = 2.627+/- ha (6.49 +/- ACRES)” as shown on maps entitled “RIGHT OF WAY SURVEY, TOWN OF AVON, MAP SHOWING LAND USE RESTRICTION ESTABLISHED BY TOWN OF AVON SCALE 1:500 DATE: MAY 2018” Prepared by The State of Connecticut Department of Transportation, Mark D. Rolfe, P.E. Chief Engineer, Bureau of Engineering and Construction, on file in the Office of the Avon Town Clerk.

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

17/18-79 Supplemental Appropriation: Fisher Meadows/Fisher Old Farms Special Revenue Fund (12) Fisher Meadows Trail Restoration Project, \$15,000

Mr. Stokesbury commented on the Fisher Meadows Maintenance Fund and it covering all the Town property. The Town Manager responded Fisher Meadows, yes. Mr. Stokesbury noted that half of this is south of Old Farms and he didn't know if it covers the parking lot off Tillotson and

some of the other recreational facilities we have; the extent to which we can use that money. The Town Manager responded that it doesn't cover the other offsite recreational areas but the language is pretty broad and references Fisher Meadows throughout so we could include Fisher Meadows, Fisher Farm, and the athletic fields. Mr. Stokesbury commented that we are starting to see more use in that area and should be putting the money to good use. The Town Manager noted that the Fund balance assuming this appropriation is approved will be \$322,000 and we are finalizing discussions with the Avon Water Company on the increase in the demand and commodity charge as a result of them being acquired. He noted that we have the agreement with CT Water Company and based on the amount of water that they are pumping out of the aquifer that revenue goes into the Special Revenue Fund; we negotiated a significant increase to the demand and commodity charge which means more money for Fisher Meadows. Mr. Stokesbury again asked geographically how far we can go spending it. The Town Manager responded that beyond Fisher Meadows and Fisher Farm is problematic. Mr. Stokesbury asked if it goes all the way up to the northern trail head. The Town Manager responded that is Fisher Meadows. He noted that the use is approved by policy of the Council so if something out of the ordinary came out or there was something you all wanted to do then you have the flexibility to do it.

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

RESOLVED: That the Town Council hereby recommends to the Board of Finance an appropriation not to exceed \$15,000 from Fisher Meadow Maintenance Fund, Other Financing Sources, Unassigned Fund Balance, Account #12-0390-43913 and to Fisher Meadow Maintenance Fund, Parks, FM Trail-Clear Trail, Account #12-5201-52244, for the purpose of clearing and restoring hiking trails in areas that will become part of a Restrictive Covenant in Fisher Meadows.

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

IX. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager highlighted that with the Radio System Project it is ready for a final presentation to Council and discussion for next steps; Grace Tiezzi, Bruce Williams, and Myles Altimus are working closely together with Heather Michaud on all of the school security improvements; the supplemental appropriations for which both Town Council and Board of Finance have approved. He highlighted that with the Fraud Risk Assessment we had a recommendation from the auditors to complete one, we went through an RFP process, there aren't that many firms in the business so we stuck with our firm, Blum Shapiro and move forward with them and get the assessment done. He highlighted that for one of the capital projects that was approved for FY 19 as they got further into the planning process for the fire alarm at the High School they are coming up short on the funding and rather than go ahead with the scope that the funding gets us now there is some useful, additional functionality that we would like to have included; there is nothing wrong with the system as it is, it is up to code; they have more than enough to keep them occupied this year digesting that security funding and will be able to hit this next year and will likely see some increase in that requested funding amount as part of the FY 20 capital budget. Mr. Stokesbury commented that if it is not broke and it is compliant, why is it being replaced? He also added that we still have not been deeply briefed as to what all of the special appropriations are going to be spent on. The Town Manager responded that between dealing with the field projects, Severni, we will get you a comprehensive brief that will get you from top to bottom but there wasn't time to pull that together for this meeting; in

terms of the need for the High School Fire Alarm Project, it comes down to enhanced functionality. Mr. Stokesbury asked Jason Indomenico or Heather Maguire to address that which will be an obvious statement from the public as to what is the nature of the project; we are putting a lot of money into capital improvements at the schools, need it or not, people are going to ask why do we need it; it is important to have comprehensive, simple straight forward explanations of what the projects are without giving away security issues. Ms. Michaud responded that the reason that the High School Fire Alarm Project was moved to the top of the list was that the manufacturer ceased making parts for the entire system; though we would love increased functionality which the systems nowadays are quite amazing with what they can do, this came down to not getting parts; it has been broke but have been able to fill what we need to as quickly as they were able to get the parts; we also have an issue with getting it serviced. Mr. Stokesbury asked if the Board has made a decision to defer the money that has been allocated and hold off the project for a year. Ms. Michaud responded that it will be discussed at the Board's next meeting.

Misc. B: Construction Update: The Town Manager highlighted that we have dirt being moved everywhere; MH Rhodes is coming along, compacted, will get the grass seed in soon, we are coordinating with the folks for the Firemen's Carnival. He highlighted that the Fisher Meadows Field Expansion Project that is coming along and going according to schedule; we had that parking lot open for Memorial Day and the Lacrosse Jamboree the week before and serves as a safety valve and we did not have anywhere near the on street parking that we had in the past. He highlighted that with the Oak Bluff Pond Dry Hydrant we are waiting for the property to close just to the west of the pond; we have been in touch with the prospective owner's lawyer and do not foresee any problems with them agreeing to the construction easement and ultimately the easement to let us access the property in the future for maintenance purposes; the contractor has been given a notice to proceed; the project will be done this summer and have been keeping the abutters up to speed with what is happening; we have a short on the Project of about \$18,000 but if the AVFD cannot come forward with funding to close the gap then our back stop is that we have capital funding that has been appropriated for equipment and apparatus and we think this fits. He highlighted the Old Farms Bridge/Intersection is on schedule and having the public hearing at the end of July will be an important step as it is the piece DEEP needs to complete the permit at this point. Mr. Stokesbury questioned when the bids are going out. Ms. Tiezzi responded July 3rd. The Town Manager highlighted the Trail Relocation behind Buildings 5/6/7 and if you haven't taken a walk back there in a while take a look, the hill is gone. He noted that the fine grain sand is over at Public Works and use it in the future to bury piping, etc.; the bony stuff is going over to the old Tow Path site and grade it off and plant it; once we max out we are going to have trucked out of Town, we were approached by a builder who will take it if we can get it to them and working out a rate to have it sent to a location in Simsbury and estimating it will be about \$20,000 to have it taken away and can find funding internally to get that done and get a \$250,000 improvement by the time the trail is done for \$20,000 so made sense to him; we are looking to have that project completed in the fall.

Misc. C: Avon Village Center: The Town Manager reported that two weeks ago we received the full detailed plans for the development that we had been waiting for; there is a copy posted online and a hard copy at the Library; it will be on the Planning and Zoning Commission agenda for the first time on Tuesday next week and they will open a public hearing.

X. **EXECUTIVE SESSION:** Pending Claim
Collective Bargaining

On a motion made by Mr. Pena, seconded by Mr. Stokesbury, it was voted:
RESOLVED: That the Town Council go into Executive Session at 9:14 p.m.
Mrs. Maguire, Messrs: Pena, Stokesbury, and Bernetich voted in favor.

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

On a motion made by Mr. Pena, seconded by Mr. Stokesbury, it was voted:
RESOLVED: That the Town Council come out of Executive Session at 9:43 p.m.
Mrs. Maguire Messrs: Pena, Stokesbury, and Bernetich voted in favor.

17/18-80 **Possible Action on Item Discussed in Executive Session – DOJ Complaint**

On a motion made by Mr. Stokesbury, seconded by Mr. Pena, it was voted:
RESOLVED: That the Town Council to authorize the Town Manager to enter into and execute the letter of resolution with the U.S. Department of Justice.
Mrs. Maguire, Messrs: Pena, Stokesbury, and Bernetich voted in favor.

XI. **ADJOURN**

On a motion made by Mr. Stokesbury, seconded by Mr. Pena, it was voted:
RESOLVED: That the Town Council adjourn the meeting at 9:45 p.m.
Mrs. Maguire, Messrs: Pena, Stokesbury, and Bernetich voted in favor.

Attest:

Nick Hogan, Acting Town Clerk

Joan Showway 34 Coventry Ln

I have attended meetings with regard to the turf field since 2012 at Parks and Rec with Glen Marston presiding through the joint Town Council and Board of Ed discussion last Thursday at the senior center. It appears that a turf field installation at the high school may soon go to a town wide vote for bonding. At the same time, additional playing fields are currently being installed at Fisher Meadows with yards of dirt being spread at the town's Thompson Road property. As we seek to improve the playing fields for the youth of Avon at great expense, please consider the tax payers and environment as well and utilize the now graded Thompson Road area for a solar electricity installation. As an additional benefit, the solar array could be integrated into the science curriculum at every grade level. The changes to the federal tax code is going to hit us all with the deduction modification for property and state taxes. I implore you to consider the installation of a solar array at Thompson Road to reduce Avon's operating budget while at the same time, contribute to our well being through a diminished carbon footprint. Thank you all for you time, expertise and commitment to our community.

