

**AVON TOWN COUNCIL  
MEETING MINUTES  
August 12, 2014**

**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 Chairman Zacchio. Members present: Mrs. Maguire and Messrs: Pena, and Evans. Mr. Stokesbury was absent.

**II. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chairman Zacchio.

**III. PUBLIC HEARING** - None

**IV. MINUTES OF PRECEDING MEETING:** July 10, 2014

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

**RESOLVED:** That the Town Council accept the minutes of the July 10, 2014 Regular Meeting as submitted.

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

**V. COMMUNICATION FROM AUDIENCE**

Marisa Walls, 8 Old Farms Crossing, reported that one in four adults and one in ten children live with mental illness; this equates to nearly 65 million people in our country living with a mental illness today and roughly about 3,400 adult individuals living with mental illness in Avon. Mental illness is a medical condition that disrupts a person's thinking, feeling, mood, ability to relate to others in daily functioning. Mental illness interferes with the ordinary demands of life. Mental illness can affect persons at any age, race, religion, or income. There are four main symptoms of psychosis: hallucinations, delusions, confused, and disturbed thoughts and a lack of insight and self awareness. Psychosis affects 3 of every 100 people and can happen to anyone; it is usually associated with schizophrenia disorders and while there are other symptoms, schizophrenia is defined by psychosis. Recently, her son who lives with a psychiatric disability required crisis intervention for his psychosis in Avon. As a mom she did what she was told to do and calling her local mental health authority for crisis intervention help which was to call the police. Although her son was sent to UCONN hospital where he received medical care and was stabilized, he was arrested ten days later by police officers for his illness of psychosis and charged with serious criminal and mischief offenses. He was so fearful because of the threatening posture of the police that he was trying to defend himself. In his psychosis he wasn't thinking of them as police officers but as men who were threatening his life and he was trying to defend himself. The general population will often operate on fear, misinformation, and lack of understanding when handling crisis intervention emergencies that involve people with psychiatric disabilities in our communities and police who are not trained for how to approach people in this condition are no exception. Comprehension of individuals living with mental illnesses is key in best serving the needs of all persons living with mental illness that do require de-escalation and crisis intervention by Town police officers, not apprehension. CIT Crisis

Intervention training for police officers is a 40-hour training program offered for police and it is funded by the State of Connecticut. It provides police officers the necessary tools, knowledge, and understanding in how to de-escalate emergency crisis situations involving persons who live with mental illnesses and psychiatric disabilities. While CIT does not guarantee that an officer who will not have to use force, it makes that possibility less likely. Recently two Avon police officers volunteered to take the CIT training program in September of this year and that is a great start. However the need for all Avon police officers to understand individuals living with mental illnesses is great and the need for all Avon police officers to learn how to de-escalate an emergency crisis situation involving residents living with a mental illness is even greater. The need is now, the need is today. Roughly 3,400 adults live with a mental illness in Avon and they may require de-escalation and emergency crisis intervention on any given day, hour, or moment. Currently, we do not have any CIT crisis intervention training police officers in Avon that are equipped to handle these specific crisis emergencies. Will two CIT training police officers for the entire Town of Avon be sufficient to handle these? We need all police officers to be well prepared and equipped with the right tools necessary because individuals who live with mental illnesses have faces, they have names, they have families, they live with real brain illnesses and it is not their fault. It is a disorder of the brain which can cause behavioral issues. If a person with diabetes assaulted a police officer during a diabetic crisis would that person then be arrested once it became known that they were ill? The majority of people with mental illnesses are not dangerous, they are not criminals. To be fair, our police should be given the opportunity to learn strategies that can help maintain everyone's safety including their own while connecting people to mental health services instead of arrest when that is appropriate, that is the right and humane thing to do for our people in psychiatric crisis as well as our police officers. Chairman Zacchio thanked Ms. Wall and he is glad that two of our officers are going through the training. He added that our officers through ongoing training as well as the Academy go through a myriad of different training activities and cannot train for every single situation that they get involved with but he will ask that the Town Manager bring this specific set of minutes to the Chief of Police and ask that the Chief review it and respond to Town Council in terms of how we are equipped to handle that. He appreciated Ms. Wall's comments.

Jamie DiPace, Town Council Representative for the Avon Volunteer Fire Department (AVFD), reported that regarding their fundraising efforts for the Fire Training Center they had a golf tournament yesterday with a 110 golfers and believe they made a substantial amount of money; it was a great effort on everybody's part. They are continuing their efforts with that. He added that they did receive an acknowledgement from a company that will be making a substantial donation in the very near future which will be a good boost to this whole program. He added that the reason they are doing all of this, for example, with the Avonwood Apartments fire where sixteen families were displaced it showed that the tactical operations that the volunteer firefighters did on that afternoon substantially saved that building and they should be highly commended for that as well as the extended amount of time after that when the AVFD spent time working with himself as the Fire Marshal and making sure that all of the residents were taken care of as well as the American Red Cross, the Police Department, and Alan Rosenberg, Director of Social Services. He noted that it was a huge incident. He cannot praise the AVFD enough for the aggressive fire tactic and operation that they did that day. This goes to show the need for this Training Center and the need to do continual training. He reported that with regards to the Fire Training Center we do have construction plans which are being currently reviewed by both Avon and Farmington staff and almost ready to go out to bid for this project. The hope is to break ground this fall but there are some setbacks with in-kind services because of it being a municipal

type project and paying the prevailing wage. He noted that they do have companies that are willing to give them in-kind services. Chairman Zacchio commented that he is glad they are moving forward with the project. He added that the timetable looks aggressive. He questioned if they are considering tapping into any of the capital budget that we provided last year; we are willing to talk about re-allocating that if you feel it is necessary or it becomes a timing issue. Mr. DiPace responded that both Towns are counting on some of that and they will continue their efforts. He added that if ground-breaking does not take place this fall we can wait until the spring because they will not be able to use it during the winter anyway. Chairman Zacchio commented that the AVFD has their support as they always have and keep up the good work.

## **VI. COMMUNICATION FROM COUNCIL**

Mr. Evans commented that the paving on Country Club Road is looking fantastic and people who are responsible for that should be commended with his personal thanks.

Mrs. Maguire agreed with the Country Club Road paving; the process ran very smoothly. She also reported that she attended the retirement party for Glenn Marston after 33 years in Avon; it was a big surprise for him, he went out with a bang, was honored, wonderful words were spoken about him and he was very well admired by others in his profession as well as by the people in Town. We wish Glenn all the best.

Chairman Zacchio commented that Glenn Marston always defined himself as a baseball guy, had been here since 1981 and looked at what has evolved since Glenn became involved with Recreation and Parks. He told Glenn that he is not a baseball guy but is an every sport guy because he was an advocate for every recreational activity in Town and helped to add a touch that made it better for everybody. He noted that we are going to miss him, Ruth Checko is a good replacement, and we wish him well in his retirement.

## **VII. OLD BUSINESS**

### **11/12-85 Supplemental Appropriations and Acceptance of Gift: Avon Middle School Tennis Court Lighting**

Chairman Zacchio reported that we had been looking for a way to fund the gap between the fundraising activities and the grants that the fundraisers were looking to procure. He noted that the Town Manager has made a recommendation that we fund an up to and not to exceed amount of \$19,150 from the Recreation Activities Fund. He noted that this Fund is accumulated through activities that are paid to the Recreation and Parks Department; traditionally we have used those dollars to pay for maintenance of facilities like pool painting, tennis courts and basketball court resurfacing at Sycamore, etc. He added that we do not have any large activities in the near future so the Director of Recreation and Parks and the Town Manager felt comfortable allocating this amount of money to complete the tennis court lighting project and there would be time for us through those recreational fees to accumulate enough to make sure that we have sufficient dollars for maintenance items. If we accept this recommendation, we will have to accept a gift from ACORN who have raised \$12,000 and then setup a capital account specific for this project and move it forward. It is our expectation that it would be completed this fall; we have one re-submit to the Planning and Zoning Commission because of the time that has lapsed to re-affirm the plan but since it has not changed that would be at their September meeting and then we would be free

to move forward. He noted that there are timing issues with the purchase of the lights in terms of expending some of the Foundation grant monies so we want to be expedient in getting this through.

The Town Manager added that there is a second supplemental appropriation that comes from the Board of Education Special Revenue Fund, the \$12,000 appropriation from the fundraisers and all of that goes into a Fund 02 that is established specifically for the purposes of accounting for this project.

Mr. Evans commented that it is terrific that ACORN has raised \$12,000 and all of the people involved should be commended for a terrific fundraising effort, should be proud of the result, and the lighting at the tennis courts is something that the community has desired and we are all proud to support and accept that gift so thank you. Mr. Pena congratulated ACORN and the community is looking forward to it and will be very happy with the success of their efforts. Mrs. Maguire and Chairman Zacchio extended their congratulations and thanks. Chairman Zacchio commented that we continue to support public and private initiatives, especially on capital items like this, to keep moving forward to make sure we get it done, we appreciate all of the hard work and it will deliver a great product.

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

**RESOLVED:** That the Town Council, on behalf of the Town of Avon, accept the gift of \$12,000 from Avon Community Recreational Neighborhood, Inc. (ACORN) for the Avon Middle School tennis court lighting.

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

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

**RESOLVED:** That the Town Council favorably recommends to the Board of Finance:

An appropriation not to exceed \$19,150 from Recreation Activities Fund, Other Financing Sources, Unassigned Fund Balance, Account #09-0390-43913 and Recreation Activities Fund, Other Financing Uses, Interfund Transfers-Out, Account #09-8700-58000 and

An appropriation not to exceed \$9,900 from Use of School Facilities Fund, Other Financing Sources, Unassigned Fund Balance, Account #15-0390-43913 and Use of School Facilities, Other Financing Uses, Interfund Transfers-Out, Account #15-8700-58000 and

An appropriation not to exceed \$29,050 (\$19,150+\$9,900) to Capital Projects Fund (Facil & Equip), Other Financing Sources, Interfund Operating Transfers-In Account, Account #02-0390-43918 and increasing

Capital Projects Fund (Facil & Equip), Other Local Revenues, Donations & Grants, Private Sources, Account #02-0360-43651 in the amount of \$12,000 and increasing

Capital Projects Fund (Facil & Equip), BOE CIP-Facilities, AMS Tennis Court Lighting, Account #02-4859-53110 for a total amount of \$41,050 (\$19,150+\$9,900+\$12,000), for the purpose of purchase and installation of lighting at the AMS tennis courts.

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

Laura Young, on behalf of ACORN, handed a check to the Town Council in the amount of \$12,000. She commented that both the USTA grant for \$4,000 would still be returned to the community once the project has been completed and the \$25,000 Hoffman Foundation grant is available to be used for the purchase of the lighting as soon as the Town deems that to be appropriate based on whatever happens at the Planning and Zoning Commission's meeting in

September. Chairman Zacchio asked the Town Manager have the Assistant Town Manager connect with the Hoffman Foundation and USTA to coordinate timing around the activities and pursuant to going through the Planning and Zoning Commission process for re-affirmation we will want to move on that fairly quickly because they will want to write that check and get the lights ordered in time to set them up. The Town Manager added that Public Works already has it scheduled for work this fall. Mr. Evans questioned if the grant money goes through Fund 02 as well or as direct purchases. The Town Manager responded that they will be direct purchases for both the \$25,000 from Hoffman and the \$4,000 from USTA; those invoices will go directly to them. Mr. Evans questioned why we do it that way. The Town Manager responded that the grantors have to spend the money direct and cannot grant it to the Town. Mr. Evans commented that it is for the purpose of the project.

### **13/14-48 Thompson Road Athletic Complex**

Chairman Zacchio reported that we asked the BSC Project Manager to give a brief update of the work that has taken place so far. He added that we allocated some dollars to get some real plans drawn to understand what might be a possibility at the site and a cost to it at some point. He noted that we are going through the process with Recreation and Parks Committee to determine what their best use might be and once that is done will have to come back to us and where the process starts in terms of if we move forward or not.

Luke McCoy, Landscape Architect with BSC Group, reported that they have had two meetings with the committee and the general public on the project. First meeting was to sit down and kick off the project, talk about the overview and spend some time going through the previous master plan that was done a few years ago and addressing the original needs and wants and Statement of Needs that was issued in that to confirm that the few things listed there or looked at are still needs for the Town and have not changed in any way. They also gained feedback from the community, neighbors, and different organizations on things that they would like to see or things that we should be concerned with on the site as we look to develop it. They took that information back and developed a number of different conceptual options to start to get feedback from the group. They met last week and presented eight options, some were based on the original Statement of Needs that we have revised and others included some of the alternate items that we were asked to look into like the addition of a second track within the Town, additional team rooms, etc. We had a lot of great feedback from the members of not only the committee but also the community that were there. We narrowed a few of those options down and took that back to our office where we will re-develop some of those that are more stream-lining to the options that people felt met their needs at the objectives of what you need here in the Town. Their goal is to meet again with the committee, have it down to two or three options, and start to initiate that down to one at which point they will also begin looking at the proposed budgets for that so we can start to see cost implications for the plan that meets the needs here in the Town. Concurrently with that Town employees are also conducting a survey at the site for the project so we will be able to take that, implement it so we have an exact detailed site survey which will not only help finalize the layout but also detail the cost estimate at the conceptual stage. Their goal is to continue through the process of refining it down to one plan, associate a conceptual budget with that so we can along with the committee present to the Town Council the recommended overall plan that meets the needs and also works within the site. They are making sure that what we present is coherent with engineering and zoning regulations. They had a preliminary meeting with Town staff just after the kick-off walking through the intent of the project and will do that

again once they get closer to what the exact plan is going to be so we make sure that prior to the referendum everybody has had a chance to review it and they feel that the plan as presented can move through all of those stages such as the zone change, site plan approval which will have to happen if the funding becomes available and a project that moves forward into construction. Mr. Evans questioned if it is their intention that the committee, comprised of some of the Recreation and Parks Committee members, will come here to Council under your guidance and present one plan with a cost estimate at some point when you are ready. Mr. McCoy responded that their goal is to bring it down to one plan; if it comes down to there may be more than one option that fits all of the needs they may present more than one. Mr. Evans questioned if that will include some basis for a cost estimate and a timeline. Mr. McCoy responded yes, their conceptual cost estimates not only have contingencies but also inflation and depending on the design if the ability is there we may present and talk about phasing options for the project. He noted that funding can sometimes come available in smaller quantities and if there is the ability to start and do pieces of it over years that may be an option.

Chairman Zacchio commented that you are making adjustments based on input from those meetings from the committee that Council appointed, public for and against around what they would want. Mr. McCoy responded yes, between neighbors, community organizations, the fundraising group that is out there now, the newly appointed athletic director so we are getting feedback from all different avenues which has been great because we are getting to hear everybody's opinions on what they think they would like to see as well as those that live directly next to it and what their concerns are with impacting them or their neighborhoods, trying to preserve that and then work this into what is there. Chairman Zacchio commented that there is a concern and sensitivity for that. He commented that we have asked BSC to utilize the entire property to its best setup. He questioned if a plan could be included that maximizes buffer and still gets to the needs piece. Mr. McCoy responded yes and that is some of the options that they presented as we went through each of the original eight options presented. He noted that one of the pieces listed, as per the Statement of Needs, is adequate buffering between the street and the neighbors. He added that some of them had advantages with setbacks, distance to provide a buffer but there were disadvantages due to field space. He noted that there is also a connection to the Rails to Trail and tying in the recreation piece with walking trails and playscape area and keeping some green space, the goal is a recreation complex. Chairman Zacchio questioned that this includes the existing building on the property. Mr. McCoy responded that there are options to keep it or remove it. Mr. Pena questioned what days and times does your group meet. Mr. McCoy responded that we have been meeting on Tuesday mornings at 7:30 a.m. He added that they have just scheduled the next two meeting dates. The Town Manager noted that those dates are August 19<sup>th</sup> and 25<sup>th</sup>. Mr. Pena commented that we would like to have public input and asked if consideration has been given to having them at other times. Mr. McCoy responded yes, their staff will also be hosting public presentations and work with the Town to schedule such and inform everyone of what is going on. He noted that as they get closer to the schemes that they feel are the concepts that work they will make presentations to the public. Mr. Pena commented that public input is important and at various times would help for some groups to attend other than for morning meetings. Mr. McCoy responded that they have held public presentations at all different times, even on Saturdays. He noted that after their next meeting they should be closer to the concept that really works for the site where they are ready to do their draft presentations and show people this is where we are at this point and get some further reaction to it and move forward to the final design.

Mr. Evans commented that he is concerned about the project getting too far on, in terms of fine tuning, before it comes to the Town Council for the first time. He added that he would like to be able to see when it comes to the Town Council level options or information about how the evolution of the process, what portions of the project you have dismissed or were added on. He asked to be a little more involved in the process because the Council is going to be the ones who will be asked to sell the project to the Town at referendum, to justify the cost and scope of it, to explain that there is a need for this in the Town and the scope is consistent with the size of the population. He expressed concern that it goes through the Recreation and Parks Committee with changes and then it comes to Council as somewhat complete, a lot of work will have been put into it, and the Council is deprived of a meaningful opportunity. He would like to be more involved and if that means a Council going to the meetings or the Committee coming here and reporting to us so they can have feedback on an ongoing basis. Council agreed. Chairman Zacchio commented that they appointed the Committee to do this body of work for us but he would expect that when it comes to us or prior to it coming to us we have one other presentation on the final three options and what is in, what is not, why it is not in, any iterations you went through to get there but retain some flexibility in terms of how we are looking at it. He asked BSC to keep that in mind as they are developing it. Mr. McCoy responded that he would bring it up to the Committee when they meet next time. Mr. Evans commented that he has tremendous faith in the Committee and the hard work that they are putting in as well as the guidance from BSC and public input is being solicited which is important to us, but before you go through the task of pricing the project it would be nice to get a chance to see a few options at a future meeting. Mr. McCoy responded that they can give Council a recap of what was developed based off the Statement of Needs and a recap of the options they went through to where we ended up. The Town Manager commented that they would be in a really good position to give a presentation in September after the progress that will be made at the next two meetings. He noted that they will ask Mr. McCoy to come back before Council at their September meeting to give an update. Council concurred.

Tracy Bachman, 112 Somerset Drive, commented that she agrees with Mr. Evans. She noted that while you are asking for community input she feels that it has been decided what should be there. She wished the community input happened before you decided what had to be there as it does not now feel like true community input; it is the plans you decided and how we feel about them but not generally about the site to begin with. She will stay tuned but she wished the community input happened a longer time ago. Chairman Zacchio responded that to some degree during the Recreation and Parks Master Plan there was a lot of community input in terms of how to use that property. He added that when the property was purchased a consideration was made whether we would sell it back and have a factory there or return it to industrial for the tax base to drive tax income and another option was from a recreation/open space perspective. He understands what Ms. Bachman is saying and the option of putting a recreation and parks complex at this site is one of the ideas that was really born of the Master Plan that came out in 2006 and this is really a natural extension of that. He noted that it is not decided what is going to be there. He reported that we hired an architect to give us what might be a real rendering of what would fit there because what we had was referred to as the "cartoon drawing" which did not go very deep and said that if something was going to fit there they drew it in and not to scale and did not have any kind of real development behind it. He added that we have asked the architect with the Recreation and Parks Committee's help and have open public meetings on this particular project to determine what might be the best use there. Ms. Bachman commented that the scariest piece for her is the stadium as such a big piece of it. She is interested in seeing all of

the plans. Chairman Zacchio responded that is perfectly reasonable and we have used the word stadium. He does not think it is a stadium and that is not what we are trying to produce but rather an athletic turf field with lights, bleachers, and a concession stand. He added that they are looking to fill that need and gap of an ability to play on something other than the single field that our kids are playing on and are experiencing injuries and this was something of interest to talk about. He noted that they are in such a preliminary stage at this point, this is just to get us a drawing of what could be there and we will continue to have all of the public input we can.

Laura Young, 57 Hitchcock Lane, commented that most people have probably not read the Recreation Plan that was put together in 2006 and it is actually a good document in terms of explaining the need and how the community came to, at that point, the possibility for why it might be a good idea to put an athletic complex there in the first place. She noted that the Plan is available to view on the Town's web site under Recreation and Parks. She suggested that one way of getting information out to the community might be to have some of these minutes and/or photographs and presentations available to the general public that other documents are made available and readily accessible by simply pulling them up on the web site and anyone is interested in learning about this project view the documents that the Town is using and the public can have a way of accessing information beyond a monthly meeting. Chairman Zacchio responded that makes sense. He noted that we may be overwhelmed with eight different renditions because it would drive more questions than answers but when we get to the point where we have something in theory that we would be interested in doing, the web site is absolutely where it should land with links. He thanked Ms. Young for the good suggestion.

Susan Rietano-Davey, 11 Edwards Road, questioned at what point and whose responsibility is it to study the egress/ingress of traffic for that road; is it BSC's? Chairman Zacchio responded yes. Mr. McCoy responded that they begin through this process and this week they started looking at site lines coming out of there based on DOT requirements and as they starting to look at where the driveway egress in and out is going to be they do understand that section of road is tough and the engineers are starting to look at that. Ms. Ritano-Davey questioned if they are considering the improvements that are projected for Avon Old Farms Road as well. Mr. McCoy responded they are not; they are looking strictly at the egress in and out and they have reviewed the traffic information from back when the school was built to show that overall the road can handle the flow of traffic because they are not simultaneous uses. He added that part of the initial phase is looking at having enough view when you try to pull in and out of the complex to make sure that it is safe or do we have to look at other options. He noted that if the project moves forward part of the process would have to go through a full second round of the traffic study. Chairman Zacchio commented that the Chief of Police is the appointed statutory traffic authority and he makes final determination on site lines for any kind of egress that is going in. Mr. McCoy commented that they will not be filing applications or going formally to commissions at this point because it is not a full project but they will sit down at a roundtable here and get feedback initially so we make sure that the appropriate parties have seen it, are aware of it, and generally on board with what they are proposing.

Laura Young, 57 Hitchcock Lane, commented that it may be premature but because Route 167 is a State road, should their recommendation be made that a traffic light would be appropriate there and who pays for the traffic light? Mr. McCoy responded that it is a combination of both. He noted that initially based on what they have reviewed he does not think that is going to be the determination; the use of this facility based on traffic counts is actually less than the traffic



counts that come out versus peak hours from the school and because this facility would be used opposite times of the school you are not doubling or adding and actually using it at different times and this is projected with less traffic based on their initial review. Chairman Zacchio commented that the wrinkle that would add to that which Ms. Ritano-Davey eluded to is if indeed some change in Old Farms Road happens and a re-routing of that entire area that section of road from Rails to Trails west would probably need to be reviewed again, not for something of this nature but for the natural traffic flow that might exist from re-routing Old Farms Road; that ball is in the air right now so this project is concentrating just on in terms of this site what might be the flow for traffic and that process would be one that is completely different.

Kathleen Davenport, 92 Somerset Drive, commented that in 2006 there was a Plan of Conservation and Development and it said that the Town was considering rezoning the MH Rhodes property to R-40 in keeping with the nature of the neighborhood. She questioned how we went from potentially changing it to R-40 to having an athletic complex. Chairman Zacchio responded that the Plan of Conservation and Development sets up a guide and an expectation if it was to be developed for housing. He added that it has been and has remained an industrial zone. Ms. Davenport commented that they were suggesting that it be R-40. Chairman Zacchio responded that if it was to be developed for housing, yes. He noted that they could also change that to say cluster housing which we just changed the Plan of Conservation and Development for the Old Farms Road piece of property to suggest more of a cluster development with more buffer versus an R-40 or R-4U development. He noted that the Plan of Conservation and Development is just a document that would suggest if that was to be housing that is what it would look like.

Flo Stahl, 2 Sunset Trail, commented that the concerns raised at the last Committee meeting went far beyond traffic and noise that was reported in the Hartford Courant. She added that the questions that were asked at the last Committee meeting were serious; they concern destroying the existing wetlands due to the massive amounts of runoff from the parking lots and the artificial turf which produces a tremendous amount of drainage to the existing wetlands to the south. Chairman Zacchio asked Mr. McCoy how much runoff it actually produces and is there a drainage concern to wetlands. Mr. McCoy responded no, the way that a synthetic turf field works is it actually is more pervious than a natural grass field; a natural grass field typically has a crown to it, try to sheet flow the water off of it and collect it on the side with the goal of getting the playing surface dry as soon as you can and handle the water off to the side of it which means you do have a lot of runoff. He noted that with a synthetic turf field the goal is to get the water through the field, you store it under the field in a series of stone layers and panel and is then directed to a collector perimeter pipe where it is stored again so it acts like a large bathtub and that pipe is sized and calculated so it allows the water to go out at a particular rate which then feeds the wetlands back because they need the water but at a rate that it does not increase any of the current runoff. He noted that in a major storm it actually creates less because we are collecting and only allowing the water to flow in a certain way. He added that for the neighbors in that area they are making sure that they get the water back into the existing aquifer, the field out there based on the original borings we had is very sandy and allows for infiltration so storing the water there allows a lot more of the water to infiltrate instead of sheet flowing right off down there and be gone. He noted that their initial review of it and based on what is currently out there we think that it will actually help benefit the area. Chairman Zacchio commented that the concerns have been raised and have hit on one that is sensitive to him too as he was on the Inland Wetlands Commission for three years and wants to make sure that is being addressed. Ms. Stahl commented that still leaves the parking lot and we know the kind of runoff from parking lots and

we are talking about 200-350 parking spaces so it is a concern. She noted that the wetlands as you know are south of the property and everything grades south. She reported that another concern was the cost of installing an extensive sewer hook-up to a sewer line which is not that proximate to the property. These inquiries do not have to be answered tonight but we raise these concerns. She reported that another concern was widening and resurfacing of Thompson Road to allow for traffic and big delivery trucks. Another concern is the cost of installing and extending underground electric lines as they have to be buried there. And of course, the initial and continuing cost to taxpayers; that is an overriding concern with the whole project. She noted that we realize, for those of us who are going to be attending these meetings, that it is moving target and until you decide which is the official plan that has your blessings we can only discuss these things in general terms. She noted of particular interest to her, that as she reads the minutes of the meetings and have gone through the files, are the allegations made time and again that there is a lot of interest and support for this project in the community; that the community wants this to happen sooner than later; that "when you put your ear to the ground the desire to do something is very high in the community." She commented that when she puts her ear to the ground she hears something else. She thinks that it is always tempting for political reasons to say that you have the ear of the community when you are trying to convince a Board such as your own. She noted that the community is broader and deeper than what you have heard up to this point. She wants to make sure that you hear from the community at large. Chairman Zacchio responded that they look forward to it.

Ms. Stahl commented that the decision to purchase the 15.25 acres of MH Rhodes contaminated land for \$1.5 million was made by exactly 57 people at a special Town meeting on March 26, 2003. She added that since then the Town and its taxpayers have easily spent another \$1 million in remediation and testing of toxins and hundreds of thousands of dollars have been spent in staff time and \$40,000 for an architectural landscape study to provide six or seven land development options known as the Thompson Road Athletic Complex which in the low-high range is expected to cost another \$2 to \$5 million so that is the amount of money that has already been involved in this project with more to come. Chairman Zacchio commented on the \$1.5 million to purchase and another \$1 million to remediate and that we purchased it for \$952,000 and we have \$1.3 million complete into the project with remediation. He questioned where she is getting the figures from. Ms. Stahl responded that the bond issue was \$1.5 million. Chairman Zacchio commented that was for all of it including remediation. Ms. Stahl commented that \$950,000 was given in cash from the Town and they sold it "as is" with all of the contaminants still in the ground. She added that the \$1.5 million bond issue, if she did her math right after going through the consulting fees, the removal of soil, the repeated testing of the wells, she thinks you have exceeded the \$1.5 million. The Town Manager clarified that the bond authorization was \$1.5 million but the property was \$950,000. Chairman Zacchio commented that the rest was the remediation cost. The Town Manager reported that he provided Ms. Stahl with a spreadsheet where it is all itemized. Ms. Stahl commented that regarding putting things on the Town web site about the project she is not sure what you would put. She is concerned that you will use the web site for advocacy where she is not sure the web site should be used for that and if you are going to use the web site to promote this project which is still very questionable to a lot of people then perhaps you should also include the concerns on the web site. Chairman Zacchio responded we would use the web site to let the public see what we are talking about so we can get input from the public that we were just saying is important. He noted that similar to any project we would go down the road on if we decide to expand the library as that program began to go down that path we were presenting that to the public for input and for them to be able to see what we

are working on and we can talk about anytime you like but we are off the path of what we are here to talk about tonight. Ms. Stahl responded that we are, but the idea of putting it on the web site, she is not clear about the timing of putting it on the web site. She added that if the timing is after you have decided on drawing “x” then of course, put it on the web site but she is not sure about the timing. Chairman Zacchio thanked Ms. Stahl for her comments.

Chairman Zacchio, on behalf of the Town Council, thanked Mr. McCoy for his presentation. He also appreciated all of the input tonight.

**13/14-76 Appointment: T.C. Representative for Lakeview Association (12/31/2015)**

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

**RESOLVED:** That the Town Council table agenda item 13/14-76 Appointment: Lakeview Association (12/31/2015) to the September 4, 2014 meeting.

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

**13/14-78 Appointment: Building Code Board of Appeals (R – 12/31/2015)**

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

**RESOLVED:** That the Town Council table agenda item 13/14-78 Appointment: Building Code Board of Appeals (R – 12/31/2015) to the September 4, 2014 meeting.

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

**14/15-07 Appointment: Zoning Board of Appeals – Alternate (R – 12/31/2015)**

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

**RESOLVED:** That the Town Council table agenda item 14/15-07 Appointment: Zoning Board of Appeals – Alternate (R – 12/31/2015) to the September 4, 2014 meeting.

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

**VIII. NEW BUSINESS**

**14/15-09 Approve Eagle Scout Proclamations**

Chairman Zacchio recognized eight scouts who will be attaining the rank of Eagle Scout at a ceremony on August 17, 2014. He read one of the proclamations aloud.

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

**RESOLVED:** That the Avon Town Council present to Thomas Geoffrey Boswell, Eric Gregory Kirk, Gregory Joseph Oberhausen, Timothy Baker O’Brien, Matthew Graham Salerni, Robert Hudon Sanford, Peter Joseph Suter, and Ryan Farley Tyler the following Proclamation:

August 12, 2014

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. As a Boy Scout you have had to show qualities of leadership, integrity, loyalty and service to your troop, community, school, church 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!

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

**14/15-10     Approve Resolution: Nutmeg Network Grant**

The Town Manager reported that we have been working on this over the last few years and had to get a legislative solution to this in the end. He noted that it allows us to replace our private vendor FiberTech with Nutmeg Network presumably at a lower cost. He added that the State through the Office of Policy and Management has made grants available to municipalities to offset the cost of some of the electronics that we need to install to allow for the connection. He is seeking authorization for a resolution to allow the Town Manager to accept a \$6,000 grant to offset those costs. He noted that the switch over should take place next spring and hope to see some savings in the budget as a result of that.

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

Be it resolved that it is in the best interests of the Town of Avon to enter into a contract with **Office of Policy and Management** for the **2014 Grant to Connect to the Nutmeg Network**.

In furtherance of this resolution, Brandon Robertson, the Town Manager, is duly authorized to enter into and sign contracts on behalf of the Town of Avon. Brandon Robertson currently holds the title of Town Manager and has held this office since January 4, 2010. The Town Manager is further authorized to provide such additional information and execute such other documents as may be required by the local, state or federal government in connection with said contracts and to execute any amendments, rescissions, and revisions thereto.

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

**14/15-11     Approval of Real Estate Tax Refund, \$3,446.69**

Chairman Zacchio reported that this refund is under the veterans' tax exemption ordinance that we put in place several years ago. He noted that we have a resident in Town who qualifies under the federal exemption rules for a veteran and this is his application for a refund.

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

**RESOLVED:** That the Town Council approves a real estate tax refund to Kelsey Law LLC in the amount of \$3,446.69.

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

**14/15-12     Approve Fiscal Year 2015/2016 Budget Calendar**

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

**RESOLVED:** That the Town Council adopt the Fiscal Year 2015/2016 Budget Calendar as follows:

<b><u>ACTIVITY</u></b>	<b>LATEST DATE PER TOWN CHARTER</b>	<b>RECOMMENDED DATE</b>
Capital Budget Forms Prepared and sent to Departments		August 04, 2014
Operating Budget Forms Prepared and sent to Departments		September 05, 2014
Completed Capital Budget Forms returned to Town Manager		October 03, 2014
Completed Operating Budget Forms returned to Town Manager	February 15, 2015	October 31, 2014
Town Manager's Proposed Operating and Capital Budget submitted to Town Council	March 01, 2015	January 16, 2015
Board of Education Budget to Town Council	February 15, 2015	February 13, 2015
Capital Improvement Program Submitted to Planning & Zoning Commission for Sec. 8-24 Review		March 03, 2015
Budget Work by Town Council completed and Budget Submitted to Board of Finance	April 01, 2015	March 23, 2015
Public Hearing on Budget held by Board of Finance not later than three (3) weeks before May 04, 2015 Town Meeting	April 13, 2015	April 13, 2015
Board of Finance Completes Work on Budget		April 15, 2015
Copy of Budget approved by the Board of Finance printed in Newspaper at least five (5) days before the Annual Town Meeting	April 29, 2015	April 28, 2015
Annual Town and Budget Meeting First Monday in May	May 04, 2015	May 04, 2015
First Referendum	May 15, 2015	May 13, 2015
Second Referendum	June 05, 2015	June 03, 2015
Third Referendum	June 26, 2015	June 24, 2015

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

**14/15-13 Appointment: Planning and Zoning Commission – Alternate (R – 12/31/2015)**

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

**RESOLVED:** That the Town Council table agenda item 14/15-13 Appointment: Planning and Zoning Commission – Alternate (R – 12/31/2015) to the September 4, 2014 meeting.

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

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

**Misc. A: Purchasing Update:** The Town Manager reported that on August 6, 2014 we received two bids for fire trucks from Rosenbauer and Gowans-Knight. He noted that there is a committee that are reviewing them including Bruce Appell with the AVFD along with Town representatives and expects that we will have a recommendation pretty shortly. Chairman Zacchio questioned why we only received one bid from Rosenbauer. The Town Manager responded that they only bid on Engine 7 perhaps due to the specifications requested for Engine 11. He noted that these two trucks together exceed the amount of funding available and we anticipated this may be an issue. He suggested that if we have a recommendation for the September meeting we may want to talk about if we want to move forward with two trucks assuming funding will be included in the fiscal year 2015/2016 capital budget. He added that right now his intention would be to recommend funding for apparatus in the amount of \$400,000 so we could plan on it for fiscal year 2015/2016 but then the process has to catch up. Mr. Evans questioned what the shortfall is. The Town Manager responded it is approximately \$200,000; we have \$1,050,000 budgeted and the total will be approximately \$1,200,000. He noted that whatever we have outstanding for apparatus is also the amount that we could have available for the fire training center so if the AVFD is unable to reach their full fundraising goal of \$500,000 and we have to draw down \$100,000 as the match it will create a larger difference. He recommended that we could talk about it in the context of the bid award for the fire truck. Mr. Evans questioned if he is surprised at the few bidders. The Town Manager responded that he has not been in bidding many fire trucks; he is not terribly surprised. He noted that we have not done it here in years. He would want to talk with Bruce Appell to see what his thoughts are. He noted that the specifications were written in such a way that it is entirely open, anybody could meet it, and we were not specific about manufacturers so one would assume that other companies took a look at it and for whatever reason decided not to submit. Mr. Evans questioned if there is a set of circumstances where you can go back to this one bidder and ask them to revise their bid consistent with what our funding is. The Town Manager responded yes, we might be able to go back and revise the scope if there are different add alternates that they wanted to take out to trim it down.

The Town Manager reported that we are going to be issuing a Request for Information for banking services. He noted that we have not put our banking services out to bid for quite awhile; we currently use Bank of America. He added that the idea with a Request for Information is that we at least want to get a pulse of the market and compare fees to see if it is worth our time to go ahead and do a RFP.

**Misc. B: Construction Update:** The Town Manager reported that with regards to road improvements we are underway with Country Club Road; we really did take great pains this year to make sure that we got the word out as quickly and as often as we could in terms of the disruption to the traffic pattern. He noted that Longview looks good and we are going to try and get to Saint Andrews and Pheasant Run this year as well; those are going to be the primary targets in the paving management plan and anything that is left we are going to crack seal.

The Town Manager reported that with regards to the Pine Grove Schoolhouse window restoration the windows have been ordered and will be installed by the end of August. He noted that at some point you will see a request for a supplemental appropriation to appropriate the matching grant that we received from the CT Trust for Historic Preservation.

The Town Manager reported that ADA projects at Avon High School are underway. He noted that with other Board of Education projects, if anybody has a chance take a look at the track at Avon High School – it looks really nice. He noted that it was not out of commission for very long and we should get another six to ten years out of it. Mrs. Maguire noted that she was a Roaring Brook School today and took a look at the tiles in the classrooms and it looks fantastic.

**Misc. C: Sidewalk Background Report:** The Town Manager reported that the Assistant Town Manager and Town Planner spent some time going back through the archives reviewing the history of sidewalks and went back to 1957 Plan of Conservation and Development (not in booklet form but hand drawn roll of maps) and then 1968, 1979, 1993, and up to 2006. They noted some excerpts out of the ordinance that governs the installation and maintenance of sidewalks. He noted that back in the late 1970s similar conversations to what we are having now took place with a Sidewalk Study Committee appointed by the Town Council and there were a couple of roads they wanted to look at including Country Club Road. Mr. Evans commented that he was surprised by the comment of having virtually no residential sidewalks other than private communities which is true. The Town Manager reported that the subdivision regulations never required that developers install sidewalks and when you think about the arch of development in Avon most of it happened in from the 1970s to 1990s. He noted that we are now trying to do some in fill work particularly on Route 44 where if a developer is coming in for site plan approval or special exception permit we are asking that they install sidewalks. He added that to the extent that we are doing municipal facilities the Library is a great example, we have the sidewalk in front and we extended it heading east on Country Club Road. He added that if Council is so inclined we can include this at some point for an agenda item. Chairman Zacchio questioned if we are on target to be able to have the Engineering Department look at Country Club Road in the phase development that we talked about. The Town Manager responded yes. He reported that the Engineering Department is working on a plan, phased from West Avon Road to Stagecoach and then all the way to Lovely. He anticipates that in September we will have some preliminary estimates for Council to look at.

**Misc. D: Solar Projects:** The Town Manager reported that the auction has awarded the projects which include the Public Works facility, Avon High School, and Avon Middle School. He noted that we have executed all of the documents. He added that we managed to get performance guarantees from Solar City so if they do not produce the savings they write us a check for the difference. He reported that the next step is for Solar City to have their engineering staff up on the roofs to look at the structural integrity and verify no roof warranty issues. He noted that in terms of permits this will also be on the agenda for the September Planning and Zoning Commission meeting. He added that CREC will be on the same agenda with solar panels on their school building. Mr. Evans commented that he thought there was some study about the structural integrity done a long time ago before Solar City embarked on this long process. He was surprised to read that this is now happening. The Town Manager commented that they do it all at the back end once the projects have been awarded. He noted that Solar City never does it before the projects are awarded making sure they have viable projects that are awarded through the auction and then they go up on the roof. He added that other communities verified this. He noted that we have very clear language in the agreements so if they go up on the roof and find a problem that needs to be fixed we can walk away with no issue. Mr. Evans commented that is good; we have all invested a fair amount of manpower ourselves into this project and it would have been nice to have known that early on but it is the way it is. The Town Manager reported that the reason we chose these roofs is because of the warranties that are remaining so that makes

it even more unlikely that we are going to run into an issue. He noted that this will go into a monitoring mode; John Spang has been designated as the coordinator on the Board of Education side and with any luck the panels should go up in the spring of 2015.

**Misc. E: DOT Funding-Speed Enforcement:** The Town Manager reported that we received a grant through a DOT program for approximately \$17,000 for speed enforcement. He noted that one use of the monies is to reimburse the Town for personnel costs associated with assigning police officers to enforce speed limits and the second is to purchase two handheld Lidar units. He added that it was a competitive grant and a good thing for the Police Department. He noted that he has been talking to the Chief of Police about once roads are resurfaced the speeds tend to increase, especially Country Club Road as a major connector road.

**Misc. F: Telecommunications Tower/Waterville Road:** The Town Manager reported that there is an interest for a proposed cell tower on private property at 255/247 Waterville Road. He noted that cell towers are exempt from local zoning under State law. He added that if a company anticipates that an application is going to be filed there is a municipal consultation period; the firm representing AT&T came in and met with the Town Planner and I and we gave some recommendations regarding design preferences. He added the firm received those preferences and will take them into consideration and let us know if they go to the Connecticut Siting Council or not.

**Misc. G: Cell Tower Agreement at Landfill:** The Town Manager reported that we have an agreement with SBA for a cell tower at the Landfill and dates back to 2004. He noted that the original agreement was with Sprint; it has been assigned a few times and is now with SBA; it is a long-term agreement for twenty-five years and we are coming up on the end of the second term. He reported that SBA has asked to modify some of the terms of the agreement, nothing that significantly changes the economics. He will most likely be coming back with a revised agreement. He noted that it is a lease and under the Town Charter they require public hearings; the original lease agreement did have a public hearing. He added that it is the Town Attorney's opinion that this is potentially just a revision of an existing lease agreement so it would not require another public hearing. Mr. Evans questioned if it is a revision or a renewal. The Town Manager responded that it might do two things – it is a revision of the existing agreement and another thing that they have asked and we are considering is for an extension out for another “x” amount of years. Mr. Evans questioned if they are exercising an option to renew the term or does the term end. The Town Manager responded that the term ends in another fifteen years as they are ten years into it; they are looking to go out an additional fifteen years.

The Town Manager reported that on the section of Rails to Trails starting at Scoville Road heading south to the Farmington town line CL&P is going to be doing some work in their right of way which is just to the south of the trail; they are taking down old utility poles. He noted that we are going to have the trail at both ends marked with caution signs and flaggers out there.

**X. EXECUTIVE SESSION:** Collective Bargaining  
Pending Claims/Litigation

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

**RESOLVED:** That the Town Council go into Executive Session at 8:50 p.m.

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



The Town Manager and Town Clerk attended the session.

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

**RESOLVED**: That the Town Council come out of Executive Session at 9:20 p.m.

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

**XI. ADJOURN**

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

**RESOLVED**: That the Town Council adjourn the meeting at 9:20 p.m.

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

**Attest:**

**Ann L. Dearstyne, Town Clerk**