

AVON TOWN COUNCIL  
MEETING MINUTES  
February 6, 2014

I. CALL TO ORDER

The meeting was called to order at 7:35 p.m. at the Avon Town Hall, in the Selectmen's Chamber by Chairman Zacchio. Members present: Mrs. Maguire and Messrs: Evans, Pena and Stokesbury.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Zacchio.

III. PUBLIC HEARINGS: None

IV. MINUTES OF PRECEDING MEETING: January 9, 2014

Mr. Evans clarified that a comment (pg. 11) which was stated as made by him was actually made by Chairman Zacchio. One minor grammatical change was also given to the Clerk.

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

RESOLVED: That the Town Council accept the minutes of the January 9, 2014 Regular Meeting as amended.

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

V. COMMUNICATION FROM AUDIENCE - None

VI. COMMUNICATION FROM COUNCIL

Mr. Pena commented that a number of businesses opened in Town during the month of January. He is glad to see businesses opening and bringing new opportunities here in Town. He noted that two of the locations, Moe's and The Residence at Brookside, commented that they are looking to hire people in the Avon area.

Mrs. Maguire commented that she attended Moe's grand opening ceremony with Mr. Pena and it was great to see a new business in Town. She added that she attended the CREC Reggio Magnet School of the Arts ribbon-cutting ceremony and it is a beautiful school and great place to educate the children.

Mr. Stokesbury reported that at the invitation of the Superintendent of Schools, he, Mrs. Maguire, and the Town Manager met with Mr. Mala and Peggy Roell, Board of Education Chairwoman for a tour of the school facilities on Saturday in connection with the capital plan to walkthrough and put eyes to the particular issues; it was very helpful and continues to show our effort to communicate and work together on those items as we move forward in the budget season.

Chairman Zacchio commented that there were a few unsolicited letters from residents around superior service, professionalism of some of our police officers, including Officer Jonathan Haynes who helped a resident that had a motor vehicle distress issue on Old Farms Road. He noted that there was another one regarding a ride-along program through the Citizens Police program and how the person was very impressed with the ride-along and the action that took place during that; in particular Officer John O'Neill and Sergeant Tom Jacius with how they handled the situation of getting it setup and being very impressed with the program. He asked the Town Manager to pass along Council's recognition to them and thanks for their service.

VII. OLD BUSINESS

Chairman Zacchio commented that the Natural Resources Commission now has three openings. He spoke with the Commission's Chair, Bob Breckinridge, and also with Town staff around whether or not we should continue to operate the Natural Resources Commission or close it down. He reported that the Natural Resources Commission, prior to laws being enacted that developed the Inland Wetlands Commission which we also have now, from a statutory perspective was really the Board that handled

all of the Inland Wetlands activity that happens today. He noted that over the last decade or so the Natural Resources Commission workload have gone down, but have been involved with various aspects and projects around Town, the last one that they really had a lot of activity around was the Rails to Trails conversion of which they did a fantastic job. He added that they meet less than six times a year and the Commission Chairman thought it was probably time for Council to look at that Charge, determine what pieces of whatever Charge is left that is under their responsibility get socialized and worked out through either Inland Wetlands or Recreation and Parks Commission. Chairman Zacchio would ask the Town Manager, if all Council members are in agreement, to put together what we need to do to close that Commission and assure that the Charge is covered within the other aspects of the Commissions we have in Town, but also put together something appropriate to thank not only the current members of the Natural Resources Commission who have served tirelessly for years but also the past members who were such a big part of it for the last few decades. Council agreed with this approach. Mr. Pena added that the Natural Resources Commission also did the tree sales and maybe we should look at the option of students assisting going forward. Chairman Zacchio commented that hopefully the Town Manager will be able to point us in the right direction in terms of what board that falls on and how that board engages community members and/or educational aspects with the students. Mr. Stokesbury questioned that we would not have an issue under the Charter with dissolving the Commission's Charge. Chairman Zacchio responded that the Council has the authority to appoint and dissolve.

12/13-64 Appointment: Natural Resources Commission (R – 12/31/2013)

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

RESOLVED: That the Town Council table agenda item 12/13-64 Appointment: Natural Resources Commission (R – 12/31/2013) to the March 6, 2014 meeting.

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

13/14-27 Appointment: Natural Resources Commission (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 13/14-27 Appointment: Natural Resources Commission (R – 12/31/2015) to the March 6, 2014 meeting.

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

13/14-38 Appointment: Natural Resources Commission (D – 12/31/2013)

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

RESOLVED: That the Town Council table agenda item 13/14-38 Appointment: Natural Resources Commission (D – 12/31/2013) to the March 6, 2014 meeting.

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

13/14-47 Appointment: Inland Wetlands Commission (R – 12/31/2015)

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

RESOLVED: That the Town Council appoint Robert Breckinridge to the Inland Wetlands Commission to fill a vacancy with a term to expire on December 31, 2015.

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

13/14-48 Thompson Road Recreation Complex

a. Supplemental Appropriation, \$40,000

Chairman Zacchio reported that at Council's last meeting they asked the Town Manager to seek mechanisms for funding an RFP for an engineering firm to give us a better idea of what might fit on that piece of property in terms of our specifications. He noted that today we have what is the remnants of the 2006 Master Recreations Plan as Mr. Marston refers to as the cartoon drawing if you will of what could fit on there if you really utilized every bit of space. He added that we have a group in Town that is interested in seeing that project move forward more quickly than we had probably anticipated and is interested in doing some fundraising. He noted that before we can get to that stage we really do need to have an architectural rendering of what it is we are building that is built to the specification that

Council provided to the Town Manager at the last meeting. He commented that what we were short was the dollars; we needed approximately \$40,000 to move forward with an RFP process in which the firms will bid on the work based on our specifications and come back to us with actual drawings. The Town Manager reported that he looked over all of the potential funding sources to hire the architect for this process and the one that made the most sense is one of the Special Revenue Funds, the Recreation Activities Fund. He noted that it is a fund that is used to receive revenues from recreation programs and over time in the last couple of years the fund has been running positively and those balances accrue to an Unassigned Fund Balance. He added caution that the Recreation Activities Fund is used to fund unforeseen, unanticipated capital projects and other needs in the recreation area that are not covered in the General Fund budget. He noted that over the last couple of years there have been several projects that the fund has supported, including sandblasting and painting the pools at Sycamore Hills, various pool maintenance projects, fencing at Buckingham fields, the Master Plan project, and some additional projects at Sycamore Hills including an ADA lift. He noted that he talked to Mr. Marston, Director of Recreation and Parks, about other potential projects that are on the horizon and there are quite a few and this is likely the source that we would be looking at to fund those, including parking lot repairs, the grills at Sycamore Hills need to be replaced, and the pavilion at Sycamore Hills needs some work. He commented that reducing the Unassigned Fund Balance by \$40,000 leaves us with some cash in that area but there are other needs out there that he may be talking with you about in the future. Chairman Zacchio commented that what he likes about it is that it is within the recreational budget to begin with. He asked if it puts us at risk for some of the other projects. The Town Manager responded that he does not think that it puts us at risk; those are all potential projects on the horizon and even the \$40,000 draw down would leave an existing Fund Balance. Mr. Stokesbury questioned if we replenish this Fund during the year. The Town Manager responded yes, but it depends on what kind of year we have. He noted that for the fiscal year ending June 30, 2012 there was a very positive year in that Fund, but in fiscal year ending June 30, 2013 not so much, however running positive the last few years.

Mr. Evans commented that he was looking at the scope of service. He questioned if what was distributed to Council is the scope of service for the architectural services for \$40,000. The Town Manager responded yes. He noted that the \$40,000 is based on estimates that Mr. Marston was able to secure; it is probably on the high side but do not know until we go out to the market and go through the RFP process. He commented that this appropriation is intended to get us through phase one which is the pre-referendum services. He noted that at the last meeting we also talked about wanting to be sure that whatever firm is selected is equipped to bring us all the way through the process; in the event that we go to referendum we need to go through permitting and constructing documents which would be the second part of the scope. Chairman Zacchio commented that detailed construction drawings can run upwards of \$100,000 but if we find a firm that is willing to use this as phase one and build off of that there should be some cost savings. He questioned that if this rendering is useable in another like piece of property. The Town Manager responded that the pieces are not really going to change, the Board may change and may have some specific issues with the layout but the basic program that is articulated in the Statement of Needs and that Council discussed at the last meeting that will not change.

Mr. Evans commented that we really need to get a good sense of what the best options are for use of that property. He would support the expense of \$40,000 or hopefully less to do that but that does not mean, from his perspective, we are making any decisions that we would go forward with the project; it is very preliminary. He noted that there are some folks in Town with some e-mails and letters that have some concerns about the project and that there will be a time and place for all of that to be fully vetted; this is the first step in the process, is this is a viable option, what will we get for how much and then we go on. He does not want, just because the Council supports this expenditure, this to signal that we in fact are going forward with the project and under what circumstances and what scope. Mr. Pena commented his concern about whether or not this property should be used for a recreation center. Mr.

Evans responded that is a decision that we are going to make later; we are going to gather information from professionals who can prepare architectural drawings to say here is what you can put on this site and for how much money and once we know that information we can make further decisions with input from various boards and commissions in the Town and the Townspeople to weigh in on the project. Chairman Zacchio reported that the process we are going through tonight is to give the Town Manager the authority to go to RFP to build a plan on that site that meets the specifications that we talked about last month, field with lighting with seating with a press box with two team rooms, fencing, parking, and a gate. He added that rendering will come back with probably an ability to make a pretty clear estimate and would give the fundraising group an opportunity to have a real rendering with the Town's architectural view of what we would build on that piece of property, in order to try to raise funds to help us do that more quickly than our bond service curve would allow us to do. He added that we would then have to sign, seal and deliver what the Council wants to move forward with, then we become the applicant to the Planning and Zoning Commission to be able to do that on that property; that is when a public hearing happens and folks input and hopefully we are able to address concerns that satisfies everybody who has interest in it. He noted that if the Planning and Zoning Commission passes it then we have to go to referendum; if it goes through we move forward and if it does not then we start at square zero which is a reason why he asked about the portability of the plan because if we went through this process and did not have success we would have something in our hands that we could perhaps apply to another piece of property. He noted that we have \$1.8 million wrapped up in this piece of property already and another \$40,000 is not going to make as big a difference as the initial investment; however it is still \$40,000 that we are going to spend. Mr. Stokesbury commented that it is also consistent with the original purchase of property which is advancing that purpose. Chairman Zacchio noted that that original purpose was to maintain open space, perhaps use it for recreational purposes when we bought it and of course consistent with the Master Plan that identified that as the best spot for us to be able to do that at probably the best cost per development acre. Mr. Pena commented that once the plan comes back there will be factors that we will have to look at to see if it all makes sense. He added that going forward with the \$40,000 right now does not mean that we will approve it at the end and public opinion heard as well.

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

RESOLVED: That the Town Council hereby recommends to the Board of Finance an appropriation not to exceed \$40,000.00 from Recreation Activities Fund, Other Financing Sources, Unassigned Fund Balance, Account #09-0390-43913 and to Recreation Activities Fund, Facility Maintenance, Consulting and Technical Services, Account #09-5201-52184 for the Final Schematic Plan and Preliminary Budget for the Athletic Field Complex at the Thompson Road Recreation Area.

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

Dr. Jeffrey Meter, Thompson Road, reported that there is a growing group of Avon residents who are strongly opposed to building on that site a large recreational complex due to the lights, the noise; the Road already has traffic problems and adding this will certainly add to that. He does not see how there could possibly be enough parking on that site for a big stadium. He added that there are wetlands just adjacent to it and he sees problems with that and also to the animals in that area as well as the Thompson Farm which would be blocked and appearance of that would be damaged by this plan. He commented that he knows that is probably not going to change anyone's opinion on this vote but there are a growing number of people that are strongly opposed to it. Chairman Zacchio thanked Dr. Meter for his comments and this is predominantly why he was trying to walk through that this is really a preliminary move on our part and all of the aspects that you reference are ones that are for the Planning and Zoning Commission if we are the applicants at that point to find solutions for or perhaps not approve; that is the point where the public hearing happens and through the Planning and Zoning process a study perhaps around parking, traffic, wetlands, etc. He appreciates Dr. Meter's comments. Joan Shumway, 34 Coventry Lane, commented on the Recreation Activities Special Revenue Fund

with respect to Rails to Trails and the fence being completely almost destroyed, along with the rail and the bluestone. Farmington has just about completely revamped theirs. She wondered if we might be able to use some of that money that you are speaking about for the plan to replace the split rail and replenish the bluestone. Chairman Zacchio questioned the section of the trail that she is referring to. Ms. Shumway responded it is from Thompson Road across to the train trestle; it is completely on the ground, the bluestone has been completely absorbed into the ground so now the asphalt is starting to crumble on the edges because it is losing the support of the bluestone. She noted that there is such a contrast when you see that sign entering Farmington and they did a beautiful job by replacing the whole thing and replenishing the bluestone last year. Chairman Zacchio commented that he does not know if that is the right use for the Fund but it sounds like something that we need to address. Ms. Shumway responded that it sounds like something that would qualify for that Fund. Chairman Zacchio commented that there may actually be some other federal dollars around Rails to Trails and the way that it was setup originally. Ms. Shumway responded that she was here for all of that and she thought that they fund at the 80% but she thought the maintenance was left up to us. The Town Manager commented that it is usually something that is addressed in the Public Works budget but we will take a look and see if there is any funding there.

Dr. Rao, 88 Thompson Road, commented that this \$40,000 may not seem like a big amount to you folks but it is a big amount. He does not think that it should be appropriated for this and asked Council to consider that; we could use it for many other things like improving the trail.

David Magrini, 31 Brookridge Drive, reported that he represents the Avon Student Athlete Park Steering Committee and some members present here who favor taking this next step. He noted that the reason they put together the Committee that we talked about last month was to build a recreation facility that is to the benefit of the entire Town. He thinks that this step in appropriating these funds to figure out what the best use of that land is and to solve some of the issues that we do have with field space and those types of things is a very appropriate use of those dollars so we can really put together a plan that is best for everyone.

Chairman Zacchio appreciated everybody's willingness to speak up and thanked them.

The Town Manager commented that there are two other actions that he had suggested that Council consider with respect to this item. He reported that one is to approve the Statement of Need that was included in your packets which basically keeps us consistent with Town Council Policy #13; the second one is that the scope at this point is a draft and suggested that you may want to task the Parks and Recreation Committee with finalizing the scope and working with staff to go through the process, select the architect and kind of oversee the development of the plan and report back to Council. The Town Manager requested consensus that the Statement of Needs is approved and refer the project to the Parks and Recreation Committee for further development. Chairman Zacchio commented that the Parks and Recreation Committee would be acting as a pseudo building committee at this point if we indeed get to the point where we need a building committee we will then appoint one. The Town Manager responded that the Parks and Recreation Committee would currently be used as a design and development committee. Council gave the Town Manager consensus on both items.

13/14-50 Appointments: CRCOG Policy Board

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

RESOLVED: That the Town Council re-appoint Mark W. Zacchio – Member and Brandon Robertson – Alternate to the CRCOG Policy Board for a two-year term to expire on December 31, 2015.

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

## VIII. NEW BUSINESS

13/14-51 Review, Discussion, & Possible Set Public Hearing Date: 10 East Main Street

The Town Manager reported that Steve Kushner, Town Planner, and Bill Case who is representing the potential buyers of 10 East Main Street present this evening. He noted that Mr. Case has asked for, on behalf of his clients, an easement over a parking lot that the Town owns in the back of 8 East Main

Street. Mr. Stokesbury noted that 8 East Main Street is the parking lot for the Living Museum. Bill Case reported that he is here on behalf of the Lumani's that are under contract to purchase 10 East Main Street. He noted that the Living Museum has very limited use and currently there is a large parking area in the back of it and what we are proposing is an easement for access off Enford Street and an area where the Lumani's of 10 East Main Street would plow and salt and keep clean during the winter months and in exchange would allow for the parking for this building; in addition we would post this area so that traffic would come from the westside. He noted that in 1953 the Town was the recipient of an easement with a prior owner that obligated the Town to repair and maintain this segment of the property on 10 East Main Street so those obligations although have never been enforced as far as he can tell would be released. He added that this would allow the building which is going to contain John Lumani's Barber Shop which is in there now working at the front of the building and we will come to Planning and Zoning with a more formal site plan for the rear of the building to be turned into office space and the upstairs would remain a single apartment which it is now.

The Town Manager commented that in reviewing it we thought it was a pretty even exchange, the responsibilities that we have in that right-of-way between 8 and 10 East Main Street would be extinguished and in return for that authorize the easement to cross the parking lot and they would take over the responsibility for doing the snowplowing, shoveling, and taking that off of our place. Mr. Case commented that we would release the Town from having to maintain and snowplow and repair the described area which currently the Town is supposed to be doing. The Town Manager added that we also talked about a release by eliminating that case as well. Mr. Case commented for the snowplowing issues but we can talk about that when we get into the terms with the Town's Attorney. Mr. Stokesbury questioned where the residential tenants park right now. Mr. Case responded that there is a single residential tenant. Mr. Stokesbury questioned if there is room on 10 East Main Street itself to meet that overnight need. Mr. Case responded yes, there is a space of approximately 30' x 55' in the back. Mr. Stokesbury questioned if Mr. Case envisions overnight parking on the Town property. Mr. Case responded no, this will just be for John Lumani's customers that come in for the barber. Mr. Stokesbury commented that it is complimentary to the weekend use of the Historical Society. Mr. Case responded that there is one apartment so at most it would be two cars associated with that; there is also a little garage that is not really used as a garage because access is almost impossible but that would probably just be storage and not used for parking.

Mr. Evans commented that as he was going through this material he was still left with the question of who is going to take care of the maintenance of that. He asked the Town Manager that if the Town will take care of maintenance and that right-of-way is being extinguished by this and the new owner is not taking on that responsibility and just do the plowing, then who does the maintenance of that. Mr. Case responded that right now the Town is responsible of maintaining this area and we would be responsible for the proposed area. Chairman Zacchio commented that the Town would continue to maintain it because of the Living Museum but it would be plowed by Mr. Case's client in exchange for the easement across it. Mr. Evans questioned that we still need our right-of-way. Mr. Case responded that we are not extinguishing the Town's right-of-way, just the obligations to repair and maintain the area that is in the right-of-way. The Town Manager responded that we are shedding the responsibilities between the two buildings. Mr. Evans commented that was the part that he was focusing on; if you are shedding responsibilities for maintaining that little sliver of property, who is going to take care of that? Mr. Case responded that would be the driveway and it has been maintained by his client; they plowed it today. Mr. Lumani commented that he plows the driveway and have been maintaining it all along since he has been there for the last two months. Mr. Evans commented that he sometimes makes a distinction between maintaining and plowing; maintaining could mean dealing with cracked asphalt and if that is going to become your client's responsibility. Mr. Case responded yes for this strip of property. Mr. Lumani commented that the driveway that belongs to 10 East Main Street is in need of repair right now and looking at the easement that would be the Town's responsibility to repair the

cracks in the driveway so we will be repairing the driveway ourselves and taking that obligation away from the Town. Mr. Case commented that striping and repaving is still the Town's responsibility. Mr. Stokesbury commented that in his experience he never used the right-of-way out to Route 44, always coming in and out the back entrance; the parking lot serving the Living Museum is a very small property that holds six to eight cars and one is a double wide handicap space so it is a relatively small area we are worried about maintenance on and the Town has been maintaining it without issue for thirty years.

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

RESOLVED: That the Town Council set a public hearing to be held at their March 6, 2014 meeting to consider granting easement rights to the owner of 10 East Main Street to permit parking on and access through 8 East Main Street and in exchange for these rights the owner of 10 East Main Street will provide snow removal for the parking lot at 8 East Main Street and release the Town of Avon from driveway maintenance obligations on 10 East Main Street as described in a recorded agreement dated 1953.

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

13/14-52 Review, Discussion, & Possible Set Public Hearing Date: Solar System RFP

Al Smith, Murtha Cullina, one of Town's attorneys, reported that they have assisted the Town in developing an RFP to identify bidders to install solar energy units on Town property and to sell that electricity back to the Town. He added that Paul Michaud, also present at the meeting, has been their lead lawyer on the project and is one of the leading experts on renewable energy in the State of Connecticut. He noted that Mr. Michaud is going to take a few minutes to walk through the process to date and explain where it is going. He added that Avon is one of four or five towns that we are working with on this project.

Paul Michaud thanked the Council for the opportunity to present today. He reported that their law firm was asked to do an RFP on behalf of the Town; it started out as a solar RFP but it expanded into a renewable energy RFP when the fuel cell companies expressed an interest in some of the facilities in the Town. He noted that the RFP was released on December 20, 2013; we had approximately thirty companies come and complete a site walk of every single facility in the Town; we received nine proposals and six were for solar, one was a fuel cell under the virtual net metering program, and we have two solar virtual net metering proposals. He reported that the plan is for the Town if you do go forward to a public hearing to approve a Power Purchase Agreement (PPA) on March 6, 2014 and if you were to do that we would execute contracts with the Town on March 14, 2014. He reported that a PPA is a power agreement between the Town and the project developer; it is a unique financing arrangement where the solar or fuel cell provider actually installs the system at your site behind your meter of your buildings and sells electricity to you just like a utility over a long-term contract at a predetermined rate. He noted that the solar provider does everything from doing the proposal, design, construction; they own the system and they operate and maintain the system throughout the life of the system. Chairman Zacchio commented that given that statement, there are penetrations into the roofing material, and he questioned what happens when there is a leak that is caused by it or there is storm damage to the building and they have to be removed in order to repair the storm damage and then re-applied, how does all of that work? Mr. Michaud responded that is all contemplated in the PPA; they are very well vetted agreements because these projects have to be financed by large finance companies so every contingency you can think of they have in the PPA. He gave an example, for the Town of Avon because some of your roofs are older the companies are proposing ballast systems that do not penetrate the roof or have very little penetration of the roof so they can be easily removed if you need to replace the roof and put back on the roof. He noted that is all built into the PPA and the price that you would pay; it should not be a problem. He added that they are well aware of the roof ages and that is why they are proposing the ballast type solar panels that a crane lifts up and takes off. Chairman Zacchio questioned if the predetermined rate is advantageous to what the market rates are today and if

there is any protection from market over time. Mr. Michaud responded yes, under the PPA it is a fixed rate and usually there is a small escalator to go anywhere between 1 and 4%; the average they received was approximately 2% escalator and that is far below the twenty-year average for electric rates which is around 5-6%. He noted that you enter into the contract, you know exactly what rate you are going to pay for the next twenty years; it is a little different for fuel cells but for solar because there is no fuel cost there is no variable, you know what you are going to pay, the sun always shines and price does not fluctuate.

Mr. Michaud reported that your facilities will stay connected to the grid, you will still have CL&P as your utility and your competitive supplier supplying energy for your energy needs that are not met by the solar; nothing changes there, you will just be self-generating a portion of your energy yourself through the provider. He reported that the PPA is normally executed at the same time of an access easement because you need to give the provider permission to go on the roof, construct the system, operate and maintain it, and remove it at the end of the life if the Town decides to do that. Chairman Zacchio questioned if it is typical in installation that it causes any conflicts with roof top units, the ability to navigate on top of the roof to replace roof top units or do other types of repairs that might need to take place for the air conditioning/heating systems. Mr. Michaud responded typically no; the companies that have made proposals are very good and have done thousands of these systems around the country and we have the designs that will be shown if we go to a public hearing which shows how they have to be able to go up at certain times to check the system and they are made not to interfere with air conditioning units and stuff like that. He noted that the performance of these systems always is with the provider and not with the Town; if the system does not perform we do not pay. He added that there is multiple buy out options with the PPA. He gave an example that these are normally fifteen to twenty year agreements but the systems generally last thirty-five years so at the end of twenty years you normally have the option of telling the provider to remove it, it is all built into the price and there is no cost to the Town, or you can decide to keep the system and pay fair market value which is usually a minimal amount or nothing and you can operate it for another fifteen years basically free of any costs to the Town. Mr. Evans questioned with operating, does it mean we have people here that can take the solar power and generate it into a form of electricity and power things in the Town. Mr. Michaud responded that there are two approaches under Connecticut state law. There is a system called net metering where you can put, for example, at your high school and it would run behind the meter and serve the high school; you can put a larger system at the high school or someplace else, or a put a fuel cell which generates a lot more energy, and under virtual net metering you can actually apply the excess generation virtually to up to five other Town facilities and it would be as if the system was there. Mr. Evans questioned if we will have that option if we exercise the PPA at some point. Mr. Michaud responded yes, there are three proposals that proposed virtual net metering and we have several proposals which will serve most of the schools with separate systems.

Mr. Michaud reported that on the benefits of the PPA: no costs to the Town, all the capital costs are paid by the service provider, it is a hedge against future electricity costs, there is no operation or maintenance by the Town and all done by the provider, and there are warranties that cover the full life of the contract for the panels. Chairman Zacchio questioned that the warranty covers the full length of the contract on your PPA. Mr. Michaud responded yes. Chairman Zacchio questioned the operational maintenance cost to us in your example for the next fifteen years after the PPA expires and are they more expensive as time goes on or are they flat across the life of the panel. Mr. Michaud responded that they drop dramatically; you can get an extended warranty if you wish through the provider for a price. He noted that the price of solar panels have dropped 70% in the last four and a half years; these panels that you would have on the roof will be virtually worthless in twenty years as there will be a whole new technology but they will still have worth because they will be operating for the Town. He added that in twenty years the technology will probably look a lot different than now. Mr. Stokesbury asked Mr. Michaud to explain the cost to us if that is true in saying ten years there is a dramatic change

in available products, what is the breakage fee? Mr. Michaud responded that the PPA normally has a buyout provision or a default provision with a chart that goes through twenty years and it is a declining amount so you can buyout at anytime if you wanted to. He noted that some private companies buy the systems after six years but that would take some capital. Mr. Stokesbury commented that he is concerned this would be other than bonding would be by far the longest contract we would be asked to engage in for the Town and it comes with risk, for example, rates drop to where alternate products might be a better use or a bankruptcy risk if the provider goes bankrupt. Mr. Michaud responded that is built into the PPA, it gets removed if they go bankrupt; those contingencies are in the contract. Mr. Stokesbury commented that his point is that there are a lot of issues that can happen over twenty years and it is much longer than a typical Town contract.

Chairman Zacchio commented with a hypothetical that we have gone through the PPA for fifteen years, we use the equipment for another fifteen years, what is the typical, other hazardous materials, the disposal of this kind of equipment, is there then a cost from a disposal perspective for the Town that we have to remove it ourselves and have to get rid of it. Mr. Michaud responded that the photovoltaic cell itself is basically sand and there are no moving parts so it would just go to the landfill; the inverters are electrical type components. Mr. Pena commented that because the energy and equipment is changing constantly and not knowing what is going to happen five years from now, probably more efficient, but what you install today if there is a better panel would we benefit from being able to get a better panel or are we stuck with this for the next fifteen years. Mr. Michaud responded that you only know what you know today but based on what we know today and the cost and the technology today that the Town will save over the life of what is installed today of \$1 million; in five years we do not know what that will be. Mr. Pena commented that if there is a better piece of equipment out there we are stuck with that even if it were beneficial to the Town. Mr. Michaud responded yes, and you may not want to change if it is working well for you. Mr. Stokesbury commented that it is a lost opportunity to save more money. Mr. Michaud commented that if in five years the price of energy goes so high and the price of panels goes so low that makes economic sense for you to buy out the PPA and replace it with the new equipment and under the tax rules buy it at fair market value. The Town Manager commented that one of the risks that seem unlikely is that electricity prices will decline. Mr. Michaud responded that historically, and this is all well documented, is 5-8% in Connecticut over the last twenty years; it can go down a little, it can go up but the trend has always been up. Chairman Zacchio commented that is national and not just Connecticut.

Mr. Michaud reported that under a PPA you lock into your rate, there is a small escalator fee, historically utility rates go up; as rates go up you are hedged for the amount of your solar or fuel cell. He added that renewable energy is heavily subsidized federally as there is a 30% tax credit for solar and fuel cell and covers 30% of the cost of the system. Chairman Zacchio questioned if that would be true for us if we had installed our own system. Mr. Michaud responded no, you have to have the tax appetite to take advantage of the credit. Mr. Michaud reported that from the State we have a \$1 billion REC program that pays utilities to buy a certain amount of the RECs which is the green attribute of the energy; you do not see any of that, it is all factored into the cost of the solar. Mr. Stokesbury questioned if that is all for year one or spread out throughout the duration of the contract. Mr. Michaud responded that the 30% is right off the top and the \$1 billion is spread out through the contract based on the production of the system.

Mr. Michaud reported that with solar you are avoiding utility costs, you have a current grid avoided cost and a future grid escalation. He reported that Avon currently purchases its energy from CL&P and it is for distribution and it is energy from TransCanada. He commented that for the schools the new rate is going to be 6.95 cents and for the rest of the facilities it is going to be 8.95 cents. He added that he is going to focus on the schools because most of the proposals were for the schools because they have big enough loads and they have good rooftops. He noted that the schools are under rates 27, 37, and 56 and if you ever looked at the bills for these, you unbundle the bill which consists of a customer

fee which is fixed, a demand fee which is based on how much load the school or a facility uses and the energy. He added that if you consume energy onsite with a solar system the 45% of your distribution costs go down too because it is all based on how much energy on your usage and if you are consuming it behind the meter, your usage goes way down. He noted that if you are using solar your demand charges tend to go down.

Mr. Michaud used numbers from one of the proposals to illustrate a twenty-year PPA. He noted that the five schools aggregated with solar on each rooftop could put out almost 1.2 million Kwh of solar and you would be paying 6.5 cents in the first year or \$75,900 for your energy and saving \$129,000 so a savings of approximately \$53,000 or 41% of your bill. He noted that the same thing happens every year; there is the 2.5 cents escalator for your utility and a slight escalator for the PPA rate. He added that if you went with this proposal, over the course of the contract you would have saved the Town \$1.38 million over twenty years. He noted that with this proposal the PPA payment is less than what the Town is paying right now so in twenty years you would be paying less than what you are paying TransCanada right now for the non-schools. The Town Manager commented that is possible because of the subsidies that are in the background. Chairman Zacchio questioned if the subsidies run through 2034. The response was that we do not know. Mr. Michaud reported that what happens with the ZREC is that it is a fifteen year contract between the solar provider and the utility. He added that the only risk is if the utilities come back and say that they want a higher fixed charge and not have so many charges tied to generation. He noted that this analysis was done correctly, a high probability cost savings. Mr. Stokesbury commented that in year one the utility cost savings is roughly \$53,000 which is 41% of the current utility costs being paid at those five schools. He added that some of these savings are because we are getting a lower rate and some of them are because we are not going to pay a higher rate in the future. Mr. Michaud responded that you are getting a lower rate and you are avoiding 11 cents of the total bill because you are generating behind your meter, you are self-generating and not taking away from the utility. He added that this savings is based on the lower TransCanada bill that comes into effect on December 1, 2014. Mr. Stokesbury commented that we have a forward looking 3-year contract that starts at the end of this year and the Board of Education entered into that and it is a great deal. Mr. Michaud commented that companies are going out of business for making those deals. John Spang, Assistant Superintendent of Finance and Operations, reported that the utility cost for all six school buildings is approximately \$1 million this year with \$400,000 at Avon High School. Mr. Michaud commented of that you would save \$129,000. Mr. Stokesbury noted that he is not challenging the savings but rather the percent to the total utility bill. Chairman Zacchio responded that it is the net save against what you would have paid for cost avoidance and what you had to pay.

Mr. Evans commented that part of the savings includes a financing cost as there are no out of pocket costs to purchase the solar panels, the installation, the maintenance, as it is provided by the solar provider. He questioned that if there is a built-in financing component to the pricing we get, have we looked into if we were to do this ourselves, go out and borrow at terrific rates right now and finance the whole thing and then we would enjoy all of the savings resulting from our panels except the tax credits. Mr. Michaud responded that they represent the Town of Stafford and Woodstock and they have both gone out with larger RFPs and they are self-financing and be in charge of their own program. He added that what is nice about the PPA is that the Town does not have to put up any capital funds; you are essentially paying another electrical bill for the renewable portion. Chairman Zacchio commented that at the end of the day we are leasing space on our roofs and whether you count it as savings against our utility bill or revenue from the lease of our roof space, the savings are the savings if you are locked into a contract. Mr. Michaud added that he reviewed your TransCanada contracts and in the older contracts they allowed you to put as much renewable up as you want to and in your new contract they limited to 20% of the schools' loads so it is approximately 980,000 Kwhs per year. The Town Manager questioned how that compares to the proposals we have received with regards to potential conflict with any of the TransCanada contracts. Mr. Michaud responded that as long as the PPA

contracts for 980,000 Kwhs or less which can be done, you just adjust the solar, you would not be in any violation of your contract. Gary Mala, Superintendent of Schools, added that is through 2016 when the contract expires.

Mr. Evans questioned where we are in the decision making process, what are we being asked to do tonight. The Town Manager responded that in terms of the process, what is before Council tonight is to schedule a public hearing for March 6, 2014. He noted that a public hearing is necessary because you would be granting an easement to access these areas to locate the roof-top units. He added that a couple of things need to happen over the next month but the reason we are recommending that Council go forward with scheduling the public hearing is that we have this timing issue with no other meetings between now and then. He reported that in the next month there would be a review by a subcommittee of the Avon Clean Energy Commission and then the full Avon Clean Energy Commission would review the bids, it would allow staff some more time to understand and review the response we received last Friday, and there is a Board of Education Capital Subcommittee Meeting next week and Mr. Michaud will be doing a similar presentation there. He added that the plan would also be to have a presentation or recommendation for the Board of Education prior to the next Council meeting. He noted that we also have the LREC/ZREC auction in April. Mr. Michaud added that all of these proposals are going to be conditioned on those projects actually winning that reverse auction. The Town Manager added that the legal notice includes all of the sites for which we have received proposals; the recommendations that are made may not include all of these sites. He noted that Avon High School, Avon Middle School, and Roaring Brook School received the most interest from those bidding on the projects. He added that following the public hearing, the appropriate easement would be granted and you would authorize the Town Manager to enter into the PPA subject to the successful completion of the auction. He noted that we have also been working closely with Al Smith, Murtha Cullina, to make sure that we are in compliance with all of the Charter provisions and the Town policies. He added that there has been discussion with the Superintendent of Schools that there may be some requirements that the Board of Education go through and approve as well as we do this. John Spang asked if they could get copies of the proposals for Monday night's Board of Education Capital Subcommittee Meeting. The Town Manager and Mr. Michaud responded yes. Mr. Spang questioned if there is a PPA with each one as well. The Town Manager responded that there was a sample PPA included as an attachment. Mr. Michaud added that we did allow companies to propose their own PPA because of the financing issues and could be negotiated.

Chairman Zacchio questioned if there are any issues with the Planning and Zoning Commission and the need for special permits to put the panels on the roofs. The Town Manager responded that we talked with Steve Kushner, Town Planner, and he felt that it would fall into the category of a staff report and no site plan approval would be necessary. Mr. Stokesbury questioned if there would be static fixed units. Mr. Michaud responded that most of the proposals are for ballast units. Mr. Pena questioned if they would be seen from the street. Mr. Michaud responded that they are very difficult to see from the street.

Mr. Stokesbury commented that he remains concerned about the duration of these requested contracts and the unforeseen problems that we could find ourselves in, most notably some business issues with the provider or any of the other critical parts of the contract, the subsidies, disposal of material if it becomes hazardous. He added that it is really summed up in a bankruptcy risk, what happens if we lose our partner in a bankruptcy. Mr. Pena questioned if there is a bond that is issued that says in "x" amount of time if something should go wrong that we could draw upon the bond that we need a removal. Mr. Michaud responded that we have done that in the PPA and if that is the direction that you wanted to go it is not a problem to require a bond. Chairman Zacchio questioned if there is harm in us moving forward with a public hearing to collect public input on this matter, give the Town staff another month to work through what ultimately the recommendation would be; have the public hearing, close it and we do not necessarily make a decision by public hearing alone and still have the flexibility to

decide how we want to move forward with this. The Town Manager asked Mr. Michaud if on March 6th if the Town needs to make a decision about the PPA or could it defer for another month. Mr. Michaud responded that April would be too late because the ZREC auction opens in April and the companies would need to know if they have been selected in order to submit into the auction. Mr. Stokesbury questioned if this is an annual cycle if we miss April. Mr. Michaud responded yes. The Town Manager commented that we have to have a signed PPA going into the auction process. Mr. Michaud added or at least a letter of intent.

Chairman Zacchio questioned if Council is interested in this enough to move forward and set a public hearing to collect input on this for the next meeting and during that period of time there is a mountain of work on the Town staff side in order to get us comfortable with how this might move forward and ultimately Staff's recommendation would be to move forward. He added that he agrees a bit with Mr. Stokesbury with the long-term period without really understanding and feeling the protection side of that. He added that clearly there is a payoff and the Council has supported the Avon Clean Energy Commission and these kinds of ideas; this helps us get to our 20% by 2010 and our ZREC purchases and saves us money. Mr. Stokesbury questioned if we have a recommendation from the Town Manager. The Town Manager responded that we have come this far, now we have some real proposals to work with and understand; he would suggest scheduling the public hearing for March 6, 2014, we have several meetings that are scheduled in the meantime and try to flush out some more of the issues with contract language, looking at possible letters of credit, bonding, making sure the Town is protected as it possibly could be, report back in March, and see how Council feels at that point. He added that if we are not in a comfortable place at that point then we take a pass and wait until next year or fit in a special meeting in March.

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

RESOLVED: That the Town Council set a public hearing to be held at the March 6, 2014 meeting to consider authorizing the Town of Avon to negotiate easements for the purposes of access, installation, operation, maintenance, repairs and removal of certain solar photovoltaic (PV) systems and/or fuel cell systems (the "Project") on one or more of the following Town properties: Avon High School, Avon Middle School, Roaring Brook School, Pine Grove School, Thompson Brook School, Avon Free Public Library, Avon Town Office Buildings 2, 3, 5 & 6, Avon Public Works Facility and Annex, Avon Senior Center and Sycamore Pool House, Avon Fire Company #1, and Avon Fire Company #3.

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

13/14-53 Review and Discussion-RFP for Legal Services

Chairman Zacchio reported that Council asked the Town Manager to go through a process for RFP for legal services. He noted that does not mean that we are not happy with the legal services that we have contracted with today. He added that having been partnered for a number of years our decision was that it is time to consider what other firms might bid. He noted that we are pleased with Murtha Cullina and hope that you are one of the bidders in this RFP process as well.

The Town Manager reported that the scope of services is expansive. He noted that we are fortunate now because we have one firm that covers everything with the exception of bond counsel which is provided by Day Pitney. He added that there is the possibility that the RFP goes out and you may get firms that are just interested in the labor work, the Town Attorney work, etc. He noted that this was designed based on, not only what Avon did in 1998 but also incorporated some language that was used by other communities that have gone out more recently and we think it is a pretty good scope. He reported that in terms of process, this is an appointment that is made by the Town Council by Town Charter and is similar to the process that we used back in 1998, to go out and solicit proposals, there was a staff committee that was appointed in 1998 that came up with a short list of candidate firms and individuals to recommend to the Town Council for further consideration and then the Town Council conducted the final interviews and made the ultimate appointment. He noted that in our case moving forward, the staff committee would include the Superintendent of Schools and the primary department

heads that are in need of legal services. He added that if we do not get more than a couple of proposals it may be that it goes right to Town Council interviews, but if we are faced with the good fortune of having several proposals having that staff committee in place may be a good way to help to narrow the field down and make recommendations to Town Council. He noted that in terms of the timeline if Council is comfortable with the scope and the general approach we would get this out fairly shortly, maybe offer a month or so for turnaround, and have some proposals in hand by mid-March or so. Mr. Evans commented that he read the scope of services and he thought it was very thorough and looks good to him. Mr. Stokesbury commented that he would like to suggest a possible addition under required information that the candidate firms provide information regarding malpractice and other insurance that they carry and leave it to Town staff if we want to get to the point of recommending a minimum required amount of insurance but at least collecting the data for what they actually carry would be useful in our deliberations. The Town Manager responded that he would add that into the scope of services. He added that he would also check with our insurance consultant because with a lot of agreements we have industry standard language with respect to insurance requirements.

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

RESOLVED: That the Town Council approves the RFP for Legal Services as discussed and amended. Mrs. Maguire, Messrs: Zacchio, Evans, Pena, and Stokesbury voted in favor.

13/14-54 Avon Education Foundation Grant to the Avon High School, \$13,050

Chairman Zacchio reported that the Avon High School received a grant through the Avon Education Foundation for fluid power system for Technical Education. John Spang noted that it is one of our fastest growing programs at Avon High School. Mr. Stokesbury commented that Technical Education is making a big comeback; we spent some time with the Robotics Team on Saturday morning and it is phenomenal; they have their own dedicated space in a former garage facility. The Town Manager commented that what these kids are doing is amazing.

a. Acceptance of Gift

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

RESOLVED: That in accordance with Town Charter, Section 4.3.2(1), the Town Council hereby accepts the gift from Avon Education Foundation Technology Grants to the Avon High School of \$13,050.

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

b. Supplemental Appropriation

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

RESOLVED: That the Town Council hereby recommends that the Board of Finance amend the FY 13/14 Budget by increasing:

REVENUES

General Fund, Other Local Revenues, Donations & Grants, Private Sources, Account #01-0360-43651 in the amount of \$13,050.00

and increasing

APPROPRIATIONS

General Fund, Board of Education, General Service, Account #01-9401-52185 in the amount of \$13,050.00 for the purpose of recording grants received from the Avon Education Foundation for Avon High School Teacher Mr. James Buys to purchase hydraulic control equipment.

Mrs. Maguire, Messrs: Zacchio, Evans, Pena, and Stokesbury.

Mrs. Maguire reported that approximately \$30,000 has been given in grants to Avon High School this past month through the Avon Education Foundation.

13/14-55 Supplemental Appropriation: Board of Education, \$18,787.64

Chairman Zacchio reported that this item is to make whole the budget from the FEMA money received from a prior storm. The Town Manager added that this is from Storm Charlotte in February 2013 and this is a reimbursement for various personnel costs that were associated with that; we recently received

a check from FEMA.

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

RESOLVED: That the Town Council hereby recommends that the Board of Finance amend the FY 13/14 Budget by increasing:

REVENUES

General Fund, Intergovernmental, FEMA Storm Charlotte, Account #01-0330-43398 in the amount of \$18,787.64

and increasing

APPROPRIATIONS

General Fund, Board of Education, General Service, Account #01-9401-52185 in the amount of \$18,787.64, for the purpose of 100% reimbursement of FEMA Storm Charlotte related expenditures.

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

13/14-56 Supplemental Appropriation: Avon Police Department, \$3,702

Chairman Zacchio reported that the Town had recently purchased a speed enforcement panel and unfortunately it was stolen; this is a reimbursement from our insurance carrier less the \$500 deductible for us to purchase another speed enforcement panel that we will assure is secured properly.

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

RESOLVED: That the Town Council hereby recommends that the Board of Finance amend the FY 13/14 Budget by increasing:

REVENUES

General Fund, Other Local Revenues, Refunds and Reimbursements, Account #01-0360-43612 in the amount of \$3,702.00

and increasing

APPROPRIATIONS

General Fund, Patrol Services, Equip Maint-Other, Account #01-2107-52209 in the amount of 3,702.00 for the purpose of purchasing a replacement radar speed sign for the Avon Police Department.

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

13/14-57 Supplemental Appropriation: Neighborhood Assistance Act Grant Funds for Senior Center, \$1,958.85

Chairman Zacchio commented that Jennifer Bennett, who runs the Senior Center, and present at the meeting was able to secure a grant through the Neighborhood Assistance Act. Jennifer Bennett reported that she wrote a grant for the Neighborhood Assistance Act and ConnectiCare decided to fund us for the amount of \$1,958.85. She added that ConnectiCare came out to the Senior Center on January 16th and presented us with a check. She noted that right now they are working with the Superintendent of Schools and also looking at ways to maximize as much as the grant money as they can; they are looking at new computers, web cams because the seniors Skype with first and fourth graders at Roaring Brook School, and a new printer. She thanked Council and letting them apply. Council members extended a job well done.

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 13/14 Budget by increasing:

REVENUES

Recreation Activities Fund, Other Local Revenues, Donations & Grants, Private Sources, Account #09-0360-43651 in the amount of \$1,958.85 and increasing:

APPROPRIATIONS

Recreation Activities Fund, Senior Citizens, Equipment, Account #09-5301-52194 in the amount of \$1,958.85 for the purpose of funding new computers, webcams, and a printer for the Senior Center Computer Room which will be reimbursed through an approved Neighborhood Assistance Act Grant from ConnectiCare.

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

13/14-58 Playground for All Kids, Inc. (Buckingham Road Recreation Area), \$1,975.92

Chairman Zacchio reported that request is for the remainder of the balance when we built the Buckingham playground that was through a fundraising group and they are turning those monies over to the Town which will be used for maintenance of that playground going forward.

a. Acceptance of Gift

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

RESOLVED: That in accordance with Town Charter, Section 4.3.2(1), the Town Council hereby accepts the gift from Playground for All Kids, Inc. of \$1,975.92.

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

b. Supplemental Appropriation

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

RESOLVED: That the Town Council hereby recommends that the Board of Finance amend the FY 13/14 Budget by increasing:

REVENUES

Recreation Activities Fund, Other Local Revenues, Donations & Grants, Private Sources, Account #09-0360-43651 in the amount of \$1,975.92 and increasing:

APPROPRIATIONS

Recreation Activities Fund, Facility Maintenance, Repairs & Maintenance - Other, Account #09-5201-52219 in the amount of \$1,975.92 for the purpose of funding repairs and maintenance of the Buckingham Road Recreation Area Playground which will be funded by a donation from Playgrounds For All Kids (P.A.K.).

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

13/14-59 Resignation: Lakeview Association

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

RESOLVED: That the Town Council accept with regret the resignation of Ebbe Blomstrand from the Lakeview Association.

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

13/14-60 Appointment: Avon Youth Services Advisory Board

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

RESOLVED: That the Town Council appoint Debra Steremberg for a two-year term to expire on December 31, 2015.

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

13/14-61 Resignation: Planning & Zoning Commission

Chairman Zacchio reported that Duane Starr was re-appointed at the January meeting; his actual resignation letter which was received months before ran through December 31, 2013 and hence should not have been re-appointed and we will therefore accept his resignation once again.

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

RESOLVED: That the Town Council accept with regret the resignation of Duane Starr from the Planning & Zoning Commission.

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

13/14-62 Appointment: Planning & Zoning Commission (R – 12/31/2017)

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

RESOLVED: That the Town Council table agenda item 13/14-62 Appointment: Planning & Zoning Commission (R – 12/31/2017) to the March 6, 2014 meeting.

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

13/14-63 Resignation: Avon Clean Energy Commission (R – 12/31/2015)

Chairman Zacchio reported that Bob Bullis has served on both the Avon Clean Energy Commission and the Building Code Board of Appeals for a period of time. He added that he has been a r