

AVON TOWN COUNCIL

MEETING MINUTES

May 2, 2013

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. Samul and Messrs: Pena, May, and Evans.

The Pledge of Allegiance was led by Chairman Zacchio.

II. PUBLIC HEARINGS: None

III. MINUTES OF PRECEDING MEETING: April 4, 2013 Regular Meeting

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

RESOLVED: That the Town Council accept the minutes of the April 4, 2013 Regular Meeting as submitted.

Mrs. Samul, Messrs: Zacchio, Pena, and May voted in favor. Mr. Evans abstained, absent from meeting.

IV. COMMUNICATION FROM AUDIENCE - None

V. COMMUNICATION FROM COUNCIL

Mr. Pena reported that today was the National Day of Prayer and we had two Council members, Mrs. Samul and Mr. May, that were part of the event and he attended as well. He added that in years past there are approximately eighty people in attendance but this year we counted approximately one hundred ten people, it was a very good day including the weather. He commented that Glenn Marston, Director of Recreation and Parks, did a good job assisting with this event as well.

Mrs. Samul reported that there is a National Congressional Award given each year to young people between the ages of fourteen and twenty-three and it is to promote community service but it also takes into consideration athleticism, etc. She added that this year, Jeffrey Lewis, received a bronze medal for this; he has put in hundreds of hours at the Gifts of Love and he worked with others from his church to help build a school in Peru and he plans to go on and try to get the silver as he has a few more years before he turns twenty-three. She commended him on his award.

Mr. May thanked Mr. Pena for putting together the National Day of Prayer; a lot of organization is started back in December. He reported that he was present at the Eagle Scout Ceremony this past Sunday at the West Avon Congregational Church; what a wonderful affair that is with three new Eagle Scouts and tonight we are hearing from some more potential Eagle Scouts coming up and he is very honored to be a part of that proceeding and it is important that we honor these Eagle Scouts because this is where he thinks our leaders come from because they are men of integrity and it is very important for us to recognize you folks.

VI. OLD BUSINESS

12/13-06 FY 13/14 Budget Development

The Town Manager reported that we have the Annual Town Meeting on Monday, May 6th at 7:00 p.m. at the Senior Center and the Budget Referendum is scheduled for Wednesday, May 15th, the polls open at 6:00 a.m. and close at 8:00 p.m. There will be a Board of Finance Meeting right after the polls close once we have the results in. He reported that he and Chairman Zacchio are working to finalize the presentation for Monday's meeting. He noted that we are waiting to hear back from Farmington who was at the polls today. Mr. Evans questioned where Farmington's number is at. The Town Manager responded that he does not recall.

VII. NEW BUSINESS

12/13-45 Eagle Scout Proclamations: Daniel Blessing, Matthew Howard, Randall Kirk, Nicholas Matousek, and Thomas Yokubinas

Chairman Zacchio reported that tonight we have three of the five Eagle Scouts present to receive their proclamations which he read to each of them respectively.

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

RESOLVED: That the Avon Town Council present to Daniel Blessing, Matthew Howard, Randall Kirk, Nicholas Matousek, and Thomas Yokubinas the following Proclamations:

May 2, 2013

DANIEL BLESSING

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

Whereas the Boy Scouts of America help train the youth of our community with skills that will serve them well in the future, and

Whereas many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

Whereas one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

Whereas Daniel Blessing from Troop 170 Boy Scouts of America recently completed the requirements for Eagle Scout, and

Whereas Daniel's project involved making care packages for American Soldiers in Afghanistan, and

Whereas Daniel worked with the Vice Commander of the Avon Veterans of Foreign Wars, he was able to coordinate donation of needed materials, and needed volunteer labor, and

Whereas as a result of Daniel's work the experience of the soldiers will be enriched and enhanced.

Congratulations on your outstanding achievement!

May 2, 2013

MATTHEW HOWARD

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

Whereas the Boy Scouts of America help train the youth of our community with skills that will serve them well in the future, and

Whereas many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

Whereas one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

Whereas Matthew Howard from Troop 170 Boy Scouts of America recently completed the requirements for Eagle Scout, and

Whereas Matthew's project involved construction of a new entrance sign for and landscaping at Sperry Park, and

Whereas Matthew worked with the Public Works Department of the Town of Avon, he was able to coordinate donation of needed materials, and needed volunteer labor, and

Whereas as a result of Matthew's work the experience of the citizens of Avon and users of Sperry Park will be enriched and enhanced.

Congratulations on your outstanding achievement!

May 2, 2013

RANDALL KIRK

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

Whereas the Boy Scouts of America help train the youth of our community with skills that will serve them well in the future, and

Whereas many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

Whereas one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

Whereas Randall Kirk from Troop 170 Boy Scouts of America recently completed the requirements for Eagle Scout, and

Whereas Randall's project involved renovation of the Roaring Brook School Courtyard, and

Whereas Randall worked with the Principal of Roaring Brook School, he was able to coordinate donation of needed materials, and needed volunteer labor, and

Whereas as a result of Randall's work the experience of the students and faculty of Roaring Brook School will be enriched and enhanced.

Congratulations on your outstanding achievement!

May 2, 2013

NICHOLAS MATOUSEK

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

Whereas the Boy Scouts of America help train the youth of our community with skills that will serve them well in the future, and

Whereas many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

Whereas one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

Whereas Nicholas Matousek from Troop 170 Boy Scouts of America recently completed the requirements for Eagle Scout, and

Whereas Nicholas' project involved the restoration of the Pine Grove Nature Trail including the construction of a new footbridge, and

Whereas Nicholas worked with the Chairperson of the Pine Grove School Nature Trail, he was able to coordinate donation of needed materials, and needed volunteer labor, and

Whereas as a result of Nicholas' work the experience of the students and faculty and users of the Pine Grove Nature Trail will be enriched and enhanced.

Congratulations on your outstanding achievement!

May 2, 2013

THOMAS YOKUBINAS

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

Whereas the Boy Scouts of America help train the youth of our community with skills that will serve them well in the future, and

Whereas many of our youth participate in activities of the Boy Scouts of America which benefit our community, and

Whereas one of the crowning achievements of Boy Scouting is the attainment of the rank of Eagle Scout, and

Whereas Thomas Yokubinas from Troop 170 Boy Scouts of America recently completed the requirements for Eagle Scout, and

Whereas Thomas' project involved the renovation of the social room bathroom at the First Church of Christ Unionville, and

Whereas Thomas worked with the Pastor and church committee of the First Church of Christ Unionville, he was able to coordinate donation of needed materials, and needed volunteer labor, and

Whereas as a result of Thomas' work the experience of the congregation and visitors to the First Church of Christ Unionville will be enriched and enhanced.

Congratulations on your outstanding achievement!

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

12/13-46 Set Public Hearing Date: Neighborhood Assistance Act

Chairman Zacchio reported that this hearing is to hear from the Neighborhood Assistance Act applicants. He added that each year the Council needs to hold a public hearing in order to allow corporations and businesses an opportunity under the tax code to make donations to municipalities and non-profit organizations that give them a tax incentive from the federal side; our portion of that process is to give them a public hearing where they can present and then approve them for application. Mr. Evans questioned if the date of the public hearing is the last day in which they have to submit their applications. The Town Manager responded that the applications are due prior to July 1st so the public hearing date will be for the next Council meeting which is in the beginning of June. He added that the Town's role in this process is really limited; we have to hold a public hearing and assuming the Council approves the applications as submitted they are then sent to the State, the State typically approves the application, we receive notice that the applications have been approved, we let the applicants know, and then it is up to them to approach businesses and raise funds. Chairman Zacchio reported that we do this on an annual basis. Mr. Pena noted that quite a few of the same applicants come back every year.

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

RESOLVED: That the Town Council set a public hearing date to consider participation in the Neighborhood Assistance Act in accordance with Public Act 95-268 to be held at the June 6, 2013 meeting.

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

12/13-47 Authorization to Sign: Historic Documents Preservation Grant, \$4,000

Chairman Zacchio reported that this grant is for \$4,000 that Ann Dearstyne, Town Clerk, applied for and gives the dollars necessary to do some consolidation of some of the older documents which will make some room in our vault which he commends the Town Clerk on her creative approach in finding a grant that covers us as the entire cost of the preservation process is approximately \$4,400 and she will be covering \$4,000 of that through this grant process. He noted that our vault is quickly overflowing and this helps makes a little bit of space that is well needed.

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

RESOLVED: That Brandon Robertson, Town Manager, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for an Historic Documents Preservation Grant.

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

12/13-48 Review, Discussion, Set Public Hearing Date: Road Acceptances for Saddle Ridge Drive, Stockbridge Drive, & a portion of Northington Drive

Chairman Zacchio reported that normally our protocol and procedure for approving roadways has been that this Body by virtue of vote has been able to accept and approve roadways in the past. He added that the thinking was because Planning and Zoning Commission had already gone through a public hearing process in order to approve the development at large and that public hearing process was inclusive of our acceptance of real property. He noted that from a Charter perspective if the Town is accepting any real property we need to go through a public hearing process as well. He reported that the Town Manager took a closer look at it from a Charter perspective and in consultation with the Town Attorney think that the most conservative approach is for us to have a public hearing as well as the Planning and Zoning Commission so in the future for any road acceptances we will schedule public hearings. He added that they will probably package them together to save some dollars on the public notice process but also so that we do not have them every meeting and do them in bulk. He reported that tonight we will set a public hearing for our next meeting which the public has an opportunity to speak on that matter and barring major concerns we will come out of the public hearing and accept it then. Mr. May asked if the Planning and Zoning Commission will be upset that we are taking initiative

here. Chairman Zacchio responded no. He added that the Planning and Zoning Commission has a public hearing in order to hear public comment for the acceptance of the development which includes the roads so our thinking was that was included in the process but because they already had a public hearing and is somewhat different ours as it is to collect input about the development; we are having a public hearing to accept real property as our Charter reads, for example, if in a development there is a piece of property being donated to the Town we have a public hearing. He added that we are now having a public hearing for the roadways as well because we are now looking at that as real property and making sure that we are following our Charter.

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

RESOLVED: That the Town Council set a public hearing date to be held at their June 6, 2013 meeting to consider acceptance of the title of roads and all appurtenances thereof for Saddle Ridge Drive, Stockbridge Drive and a portion of Northington Drive as shown on maps titled "Subdivision Plan Bridgewater Estates – Phase IV Property of The Silvio Brighenti Family, LLC of Avon, Connecticut – Wild Wood Drive, Avon, Connecticut" dated Feb. 2004 sheets 1, 2 & 3 of 3 and Subdivision Plan Bridgewater Estates – Phase VI Property of The Silvio Brighenti Family, LLC of Avon, Connecticut" dated Mar. 2004 sheets 1, 2 & 3 of 3.

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

12/13-49 Review, Discussion & Approval: Master Municipal Agreement for Construction Projects  
Chairman Zacchio reported that each time that we engage with the State of Connecticut on any kind of Department of Transportation (DOT) project we go through a very common set of approvals and agreements before the project gets off the ground; those common set of agreements which he refers to as the Master Municipal Agreement; this process is to put a Master Municipal Agreement in with the State of Connecticut on DOT programs and once you set this agreement in place you do not need to do it again. He added that for the specific project to go through the details and the negotiations of what it is going to be but this base will already be there and we will not have to go through it and file it every time. Mr. Evans questioned why we do not have this already. Chairman Zacchio responded that was a good question; he thinks it has just been one of those processes that they followed for years and figured out this is a much more efficient way of doing it. Chairman Zacchio noted that the Council needs to give the Town Manager authority to enter into this agreement so he can sign on our behalf with the State of Connecticut for this Master Municipal Agreement. Mr. Evans questioned if legal counsel has approved the proposed agreement. The Town Manager responded yes. The Town Manager noted that it is so much easier and less expensive because even though the bulk of the agreements that you have with the DOT are generic they still have to go to the Attorney General's Office for review and they always get hung up so now you have a basic agreement and then a letter attached to it that includes the scope of whatever the need for the agreement is and a much more efficient way to approach it. Mr. Evans commented that we do not have to approve this every year or that it goes into perpetuity until someone decides to change it. The Town Manager responded that is correct, this is standing.

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

RESOLVED, that Mr. Brandon Robertson, Town Manager, is hereby authorized to sign the Agreement entitled "Master Municipal Agreement for Construction Projects."

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

12/13-50 Review, Discussion & Approval: Pavement Cut Policy

Chairman Zacchio reported that this is a design that Public Works and the Town Engineer among the Town Manager and his staff have put together. He commented that roads have been cut open because a utility has changed the sewer structure or the gas lines have been pulled up a road or there is some kind of repair that needs to take place and we do not currently have a process in place to assure the contractor in this case restores the road to our standards so instead of having a cut pattern just paved in we are engaging in a cut policy to state that if our road has been paved within the last five years and a utility decides to cut it open we are going to require a standard type of patch instead of just a small and

narrow patch that tends to lessen the longevity of the road. He noted that Country Club Road is a good example, although the repair was done well, there is a strip that runs up the west side of the road from a gas line that was put in years ago, and it just hasn't worn as well as the rest of the road. This policy would give the Town a little more authority in how we want the road to be repaved and gives the utility company a pretty clear set of guidelines to follow as well as an incentive to work with the Town when we are getting ready to repave roads if they want to do utility work instead of waiting and putting it off and doing it in a different way. He noted that we do give the Town Engineer some authority and discretion in how this gets applied. He added that in cul-de-sacs it could be a little different and give some discretion on how that would work as well as an emergency release so if there was a water main break a temporary repair could be done and this could be followed up with it.

The Town Manager reported that he asked Larry Baril, Town Engineer, to come in tonight as he thought it would be useful to review the drawings attached to the policy. He noted that the policy differentiates between roads that have been resurfaced within and after five years and for roads that are disturbed and have not been resurfaced or repaired within five years it requires an infrared bonding process and what we do not want to see is any evidence that the road has been disturbed, no seams and see everything just like it did prior to the road having been disturbed. He added that after five years you get into a saw cut where you will see a seam but the pavement is still going to be restored and you are going to seal the seam so the water cannot get into it.

The Town Engineer reported that in the first diagram, illustrating five years or less, the purpose is to try and make it so that when they do a utility cut for whatever reason the effect on the existing roadway is minimized. He added that they do their trench cut, backfill it, compact it, and it is a two-part repair where they do a temporary thing first, let the road go through a couple of seasons, and if there is any settlement that happens because of the weather or water inclusion they have to come back and over mill beyond what they had done on their trench so there is pavement four or six inches thick, they mill down two inches and then they repave inside that milled out area. He noted that the goal is to both bridge the seams and provide an opportunity for a full flat surface on the road. He noted that within a year or so you can still see the patch because pavement oxidizes, it turns lighter with age, and after the first year generally speaking you will not see the patch and theoretically you should not even feel it. He reported that in second diagram, we give them a little bit of a break in not all of the milling goes all the way across. He noted that he initiated this two years ago where anybody that made a pavement cut in our Town had to do it as a two-part repair and had to over mill by three feet on either side which is the same number that we are using currently but did not necessarily require them to go all the way across the road or all the way to the center line which is the primary difference.

Mr. Pena commented that he understands the reasoning behind this, particularly now-a-days because of the roads being in the conditions that they are. He questioned if a utility company or someone else who wants to cut would say that we are not going into Avon because of the policy. The Town Manager responded that he looks at it in two ways: the first is that it gives them a very good incentive to coordinate with us whether it is Engineering or Public Works, we reach out to the utilities at every paving season to make sure they know what our schedule is and we can coordinate work so hopefully we can avoid any issues that way and from a utility's perspective they just have to build it into their cost structure and if we do not have something like this in place then in effect we end up to some extent subsidizing what it is they are looking to do. He added that it is interesting as we checked in with other communities and researched best practices in this regard, the other communities that we spoke with one exception all said what a great idea, let us know when it is done, we would like a copy so for whatever reason this is something that once you take a step back and think about it, it really does make a lot of sense. Chairman Zacchio reported that Farmington has this and he does not think that they have had any issue with utilities. He likes that it would provide incentive for the utilities to coordinate with us better because at this point they do not have to, they can do it at their leisure. He added that coordinating with us would be a benefit for both of us. Mr. Pena questioned if the State comes to us

and asks for our approval on cuts that they do on State roads in Avon. The Town Manager responded that if the State had to make a cut into a road in Avon they would have to get an excavation permit. The Town Engineer commented that the idea of this double temporary permit was originated from the State's policy so if you see a cut on West Avon Road or Route 44 then those contractors have the same obligation. Mr. May asked the Town Manager if he knows of any other communities besides Farmington that has something like this in place that is very similar. The Town Manager responded that we did not do a comprehensive review and call 169 towns and cities but the normal group that we look to none of them had it with the exception of Farmington. Mr. May questioned whether or not Farmington has had any bad reports. Chairman Zacchio responded that Farmington does not seem to be having any issue with it. He thinks it promotes utilities if they are going to extend something that is not already in place which for the most part in Connecticut you would think natural gas would be one of the only ones not in place all over town. He added that this is probably less related to the utility companies in the course of their business because if they want to extend service they clearly will, however this may relate to contractors and builders, who might be developing and tearing up roads and it provides some good guidance for them too so they will know what is expected. Mr. May questioned how common these infrared road pavers are. The Town Engineer responded not too common but there are several in Connecticut. Mr. May asked that if a contractor wants to tear up a road is he going to have the ability to get one of these easily. The Town Engineer responded that we already use it and do not have any issues. Mr. Evans commented that this is a good idea and he supports it. He added that the details are in the diagrams so if people who come in, can read the diagram and understand what is expected of them in terms of restoring our roads then he is all in favor of this. Mr. Pena commented that it is his understanding that the Town Engineer would be the one approving this. The Town Engineer responded that they issue an excavation permit now. Chairman Zacchio commented that this gives good guidance and if a contractor no matter what type decided that this sort of cut needs to take place they could then move it in any direction; it gets more specific about where they cut and where they would have to pave. He added that at the end of the day it is about our road quality and the costs that are born by the Town to pave a brand new road and then two years later see it cut up and not last as long as we had anticipated. He noted that fortunately we have a lot in the road paving budget this year but it is hard to keep up with the number of roads; we could plan for ten miles and end up with six miles because oil prices go through the roof. He added that every precious mile that we pave, this helps to protect in terms of what the taxpayers are footing, not only for a new road but for the longevity of that road because those seams that are through and through cause deterioration of the road and this process will help curb that and provide a better road quality for a longer period of time in the case where that road needs to be cut for a contractor. Mrs. Samul commented that it is not unduly onerous on either developer or a utility company. Chairman Zacchio commented that it does not go much further than some of what is paved today; it just gives them guidance to how they do it. Mr. Pena agreed that anything that would help our roads would be great. He questioned if this is a new policy and if we need a public hearing. The Town Manager responded this has been designed as a Town Council Policy so all it requires is Council approval and not an ordinance so no public hearing required. On a motion made by Mr. Evans, seconded by Mr. Pena, it was voted:

RESOLVED: That the Town Council approves Town Council Policy #25: Pavement Cut Policy as presented and dated May 2, 2013.

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

12/13-51 Review, Discussion & Approval: Clean Energy Communities Program & Big Ideas Grant  
Chairman Zacchio reported that Mrs. Samul raised some questions regarding the Big Ideas Grant and the Town Manager was looking into them, however since the Assistant Town Manager is out and there is no timetable on this we are going to ask that we table this item.

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

RESOLVED: That the Town Council table agenda item 12/13-51 Review, Discussion & Approval:

Clean Energy Communities Program & Big Ideas Grant to the June 6, 2013 meeting.

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

12/13-52 Approve Resolution: Acceptance of Personal Property

Chairman Zacchio commented that the Town Manager's Office renovation space looks great and that conference room is going to provide some really valuable space for meetings and planning. He noted that the conference room table and some other furniture were donated and we have to, like any real property, accept that as a body. The Town Manager reported that the furniture - the credenza, the dry erase board cabinet, and the table - were all donated by an Avon business owner by the name of Ed Queirolo. He added that Mr. Queirolo has property on Tower Lane. He noted that one day Jamie DiPace was talking with Mr. Queirolo and it came up that he was looking to make room for new furniture that was coming in, Jamie expressed interest, and Mr. Queirolo very kindly volunteered to donate this furniture to the Town for the Town Manager's Office. He added that it was very, very generous as it would have been a very expensive purchase to make so we are very grateful to Mr. Queirolo. He noted that it does require Council approval because it is the acceptance of real property. Mr. Evans commented that it is very nice furniture.

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

RESOLVED, that in accordance with Town Charter, Section 4.3.2(l), the Town Council hereby accepts a gift to one (1) conference room table, one (1) credenza, and one (1) dry erase board cabinet from Mr. Ed Queirolo for the purpose of furnishing the recently renovated Avon Town Manager's Office.

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

Chairman Zacchio asked the Town Manager to send Mr. Queirolo a letter of thanks on behalf of the Council and the Town; it is a very generous donation and one that we will probably be using for the next thirty years.

12/13-53 Approve Resolutions: STP-Urban Program Grant-Country Club Rd.

Chairman Zacchio reported that we had an opportunity for the Urban Program Grant for both paving projects as well as potential sidewalk projects. He noted that the grant has been submitted but we need to authorize the Town Manager for application. The Town Manager responded that there is a Council resolution that is required for each grant application, one is for the sidewalk and the other is for the paving rehab project. Chairman Zacchio commented that there is no guarantee that we will get some or any of that money but we certainly want to apply for everything available to us. Mr. May commented that he has problems with the sidewalk portion in that he does not believe that sidewalk is going to be used very often where you are spending close to \$500,000 on the sidewalk, the Town share he understands is \$128,000; we could buy a fire truck with that money. He added that he does not really see a lot of people that are going to allow their children truly to walk to school, most people that he has come across drive their kids to school; secondly, the responsibility of cleaning the sidewalk falls many times on property and business owners. He asked if a letter has been sent out to those property owners saying what our thoughts are, that would be important possibly to get their input and to see how much of their yard is going to be taken away, especially in that north side of Country Club Road which those people have limited front yards and it is a concern that he has. Chairman Zacchio commented that we still need to apply through the Planning and Zoning Commission to be able to put a sidewalk in, in which there would be public input. Mr. May commented that he knows Country Club Road needs to be paved but are there not other roads that need paving that we could spend this much money on, this is two-tenths of a mile for \$500,000. Chairman Zacchio responded that we do not even know if we are going to get any of this money but you have to apply for the grant for a project of some type and it was up to \$1,000,000 for each. Mr. May asked if we can come up with a different way to get to our \$1,000,000. Chairman Zacchio responded that we could but we had that discussion when we authorized the Town Manager to apply for the grant. He added that Mr. May can support one or the other. Chairman Zacchio commented that there is only \$4,000,000 available to twenty-nine communities so the probability unfortunately of us getting this is probably low on top of it but it was



specifically split between roads and sidewalk projects so it could be up to \$1,000,000 in roads and up to \$1,000,000 in sidewalks so even if we brought the Country Club Road rehabilitation further to a \$1,000,000 there is still an opportunity for up to \$1,000,000 in sidewalks. He added that one thing about the sidewalks that we talked about was with a traffic light going in at the corner of Country Club Road and Lovely Street and corresponding crosswalks, on a major road he thinks we felt like there is an obligation to try and find at least some of that road to be covered. He noted that the anticipation was the schools, the rest of our schools are connected via sidewalk but Roaring Brook School is not. Mr. May commented that he was doing calculations in his head; he understands that the plan of the Town is to connect the whole Town with sidewalks but how much is it going to cost to connect Country Club Road, that is a big egg to crack. Chairman Zacchio responded that he is not there, he does not think that the whole Town connects at some point; we are not setup to be a block type of community like West Hartford but the spirit of it was more we have crosswalks going in, we have a school that connects to that neighborhood and Brookmoor and that neighborhood to the school and we have an opportunity to get money to do that. Mr. May commented that good planning stops a lot of bad feelings and he wants to make sure that those property owners on the north side of Country Club Road know exactly what their responsibilities are. Chairman Zacchio responded that of course they would by the process of us applying to actually do it and then they would have an opportunity to speak on that. Mrs. Samul commented that if it comes back with negative feedback or we decide not to go forward for whatever reason there is no issue, the money gets turned back to the State and they redistribute it. Mr. Evans asked if it affects us if we get grant money and we end up not using it and giving it back to the State, does it have an adverse impact on us in any way. The Town Manager responded that it is always possible, but one of the factors with this grant process is that there was a really quick turnaround so there would be an understanding that communities had to react and there may be issues with applications that are filed. Chairman Zacchio questioned if there was any requirement for a shovel ready project. The Town Manager responded no and that may be something that they take into consideration as part of their review process. Mr. Evans commented that Mr. May raises some good points and we have not fully explored this; the fact that a lot of kids are driven to school he would like to see that sidewalks could alleviate the burden. He noted that at Roaring Brook School those kids may not walk to school because there is no sidewalk. He added that he would like to see the whole process go through; the first part is getting the application going, see if we get the money and then make sure the Planning and Zoning Commission contacts property owners and the process takes us through completion. Mr. Pena agreed with Mr. May as well with the Planning and Zoning Commission holding a hearing regarding that early on and see whether or not the residents understood the maintenance of sidewalks and we also spoke to the Town Manager about how many of the sidewalks are actually maintained by the Town. Mr. May asked if the sidewalk would be something that the Town would take care of. Chairman Zacchio responded that is an option if we are successful with the grant and if it went through the Planning and Zoning Commission process and was approved. On a motion made by Mr. Evans, seconded by Mr. May, it was voted:

WHEREAS, the Capitol Region Council of Governments has solicited municipal projects in order to distribute about \$4,000,000 in Federal funding that is expected to be available for road improvement projects through the STP-URBAN Program; and

WHEREAS, Country Club Road is eligible for funding under this program; and

NOW, THEREFORE, BE IT RESOLVED that the Avon Town Council hereby authorizes Town Manager, Brandon Robertson, to submit an application for funding up to the amount of \$755,604.67 to the CRCOG Transportation Committee for Pavement Rehabilitation of the length of Country Club Road; and

BE IT FURTHER RESOLVED that, should funding for said Plan be approved, the Avon Town Council will fund the design of this project and will fund 20% of the construction costs, or \$151,120.93, as required by project guidelines.

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

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

WHEREAS, the Capitol Region Council of Governments has solicited municipal projects in order to distribute about \$4,000,000 in Federal funding that is expected to be available for road improvement and sidewalk projects through the STP-URBAN Program; and

WHEREAS, new sidewalks on Country Club Road are eligible for funding under this program and do not exist on Country Club Road from Lovely Street to Brookmoor Road; and

NOW, THEREFORE, BE IT RESOLVED that the Avon Town Council hereby authorizes Town Manager, Brandon Robertson, to submit an application for funding up to the amount of \$438,605.30 to the CRCOG Transportation Committee for new sidewalks along Country Club Road from Lovely Street to Brookmoor Road; and

BE IT FURTHER RESOLVED that, should funding for said Plan be approved, the Avon Town Council will fund the design of this project and will fund 20% of the ROW and construction costs, or \$127,721.06, as required by project guidelines.

Mrs. Samul, Messrs: Zacchio, Evans, and Pena voted in favor. Mr. May opposed. Motion carried, 4 to 1.

#### 12/13-54 LoCIP Authorization

Chairman Zacchio reported that this item is to approve the LoCIP funds reimbursement for capital expenditures as we do on an annual basis. The Town Manager reported that with the LoCIP funding we typically use it for paving rehabilitation projects and always done in arrears so we are applying now for LoCIP funds for FY 12/13 and this is something that you see every year; the application requires Council approval.

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

RESOLVED: That the Town Council authorize the Town Manager to apply for a LoCIP grant in the amount of \$108,969.

Mrs. Samul, Messrs: Zacchio, Pena, and May voted in favor.

#### VIII. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager reported that with regards to the Fisher Farm lease Avon has been participating with a Sub-committee of the Farmington Town Council and we have gone through a couple of steps now. He noted that Farmington has submitted an RFP for the property back in January, it included Avon's property by reference, and we received a number of responses to that RFP process and now there are two finalists who have been selected for the Farmington lease and by extension, subject to further discussion possibly the Avon lease as well. He reported that Farmington is in the process of doing the background and due diligence on the two finalists for the lease. He noted that earlier this week the Town of Farmington did give notice to the current lessee on the Farmington side that his lease would expire on June 30th. He reported that he subsequently talked to the lessee because Avon has a lease with the same person for the balance of the property and the lessee indicated that he intended to exercise his rights under the Avon lease until the end of December 2013. He commented that there has been a lot of activity on the Avon side; this is the first time in a couple of years that they have gone and plowed the soil and in the process of planting corn now. He reported that the last couple of years it has been a combination of hay and recovery crops. He added that Farmington is doing the due diligence on a couple of finalists of the lease, the lessee on the Avon side will continue to the end of December 2013 but we really approach this as a comprehensive project, it really has to work together because on the one hand Farmington has all of the buildings and Avon has all of the land and that is why Farmington invited us to be involved in the RFP process and have all of this input into the candidate selection. He will have another update at the next Council meeting; the lease that we have with our current lessee indicates a six month notice requirement if we intend to terminate the lease and prior to entering in a new lease the Charter requires that we have a public hearing. Mr. Evans questioned if there is a period of time when Farmington will have one lessee versus Avon having a

different person. The Town Manager responded that it is very possible that for a time we will have different lessees next door to one another. He thinks Farmington is going to have to take some time to step back, there is a lot of rehab work that needs to be done on the outbuildings on the Farmington side; ultimately the goal is to get one lessee for both properties and to synchronize the leases so we do not have this problem again. He noted that what is really driving this problem is that we have one lease that expired in April and was extended to the end of June 2013 and another lease that expires at the end of December 2013 so that is why Farmington was out front in terms of the RFP process and we participated. Mrs. Samul commented that Farmington has negotiated or is in the process of negotiating with people for the house, the buildings, and a small portion of land. The Town Manager responded that they have not started negotiating yet but they have their candidates identified and we are going through the background now. Mrs. Samul asked how the lease payments be arrived at, when do we get involved with that because as she understands it they need the land to support what they are going to be doing with the buildings. She thinks that would affect what someone would be willing to pay; the lack of being able to use the Avon property will affect what the person or entity would be willing to pay as rent for the Farmington side of it. She asked when you do get somebody how are the two portions of the rent negotiated? The Town Manager responded that the Avon lease is very simple; it is basically a land management lease, a \$1 per year. He added that it is fluid right now and we have candidates that are in due diligence phase and once they come out of that process we will have to look at the details of what a successor lease would look like. He noted that Farmington is going to have to go through that process as well. He commented that it is two towns but it works together as a whole because we have the property but no buildings. Chairman Zacchio commented that it would be best to be on the same lease schedule to avoid this. He noted that the corn being planted now in this growing season as it is leased to Mr. Simmons and will continue to be leased to him and he will continue to farm it with corn for the season. He commented that what Farmington is doing with the building side is out of Avon's hands. Mrs. Samul commented that the season of corn will be done well in advance of December so he may even decide to vacate prior to December after the crop comes in. The Town Manager responded that it is possible but there is restoration work that needs to be done once the corn is harvested. Mr. Evans asked if Mr. Simmons wants to continue as a tenant on both sides of the property. The Town Manager responded that he could not speak for Farmington and he has not had that conversation on the Avon side. Mr. Evans is wondering why Farmington did not extend Mr. Simmons lease through the end of December so that they run together and then you can talk about a renewal package at the end of December or he can lose his tenancy/vacate and somebody else comes in and takes over both properties under some lease that runs together. The Town Manager responded that he could not speak for Farmington; this is a sequencing issue and the bottom line is that it does not work well unless you have one lessee for both properties. Mrs. Samul reported that provisions we have for using the land for our purposes will have to be part of this negotiation.

The Town Manager reported that the proposed BOE FY 13/14 Projects include \$500,000 CIP funding which include Security Upgrades, ADA Compliance and the purchase of vehicles. He reported he met with John Spang, Peter Gaski, Bruce William and Alex Trujillo to review the projects, plan bidding activity in advance of the summer recess and coordinate efforts between Town and the BOE staff.

The Town Manager reported we received six proposals for the Employee Assistance Program. This program is offered to our employees and the service is available 24/7 to a call center with MD or PhD personnel always present. We have offered this service to the employees for a number of years. Based on the proposals we received the Selection Committee selected The Lexington Group Inc. The contract does not increase over the life of the proposal and there is a 4th year option.

The Town Manager reported the other purchasing updates are included in the memo dated April 25, 2013.

Misc. B: Construction Update: The Town Manager reported the Underground Fuel Storage Tank Replacement included in FY 2013/2014 budget include \$90,000 for the continuation of the State

Mandated project. The concrete pads and conduit to wire the new aboveground fueling station have been installed at the Public Works Garage. The bidding process will take place in the coming months and the goal is to have the new fueling station operational before the close of the 2013 construction season.

The Town Manager reported the engineering is substantially complete and the field surveys have started for the Avonside Sewer Project. Letters have been sent to the residents informing them of the project and an informational session will be held by AWPCA. Residents will receive notices regarding the date and location of the meeting.

The Town Manager reported regarding the Ciderbrook Sewer Project we are in the engineering phase and have been in contact with a primary pump vendor to have them assist with the design. Field surveys have not begun, but letters have been sent to residents informing them of the project and an informational session will be held by the AWPCA.

The Town Manager reported the FY13/14 Payment Management Program for paving and roadwork is in the process of being prioritized by DPW based on Town's Pavement Management Plan. The proposed budget includes \$600,797 for road maintenance.

The Town Manager reported that Larry Baril the Town Engineer is present to report the progress of the Old Wheeler Bridge project. The Engineer reported the cost of the bridge project is north of \$200,000. However, he questioned another vendor if the Town forces were to do the project what would be the cost savings – we have been advised that we may have an estimate before the next meeting.

Misc C: Old Farms Road Project(s): The Town Manager reported that everything is on track. He reported that a meeting was held with DOT and the scope of work will be developed by the Town and WMC over the next few weeks. He indicated the DOT reaffirmed that 100% of all cost of construction for both the bridge and road improvements will be paid by the state. Tom Daukas's report of May 2nd outlines the details of the meeting and the determinations made at the meeting with DOT.

#### IX. EXECUTIVE SESSION: Collective Bargaining

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

RESOLVED: That the Town Council go into Executive Session at 8:35 p.m.

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

The Town Manager and Clerk attended the session.

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

RESOLVED: That the Town Council come out of Executive Session at 8:45 p.m.

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

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

RESOLVED: That the Town Council authorize the Town Manager to execute a tentative agreement with the Dispatcher Union CILU Local #22 resulting in a three-year contract from July 1, 2013 through June 30, 2016.

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

#### XI. ADJOURN

The meeting was adjourned at 8:45 p.m.

Attest:

Caroline B. LaMonica  
Clerk