

**AVON TOWN COUNCIL
MEETING MINUTES
August 6, 2015**

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 Acting Chairman Evans. Members present: Mrs. Maguire and Messrs: Pena and Stokesbury. Chairman Zacchio was absent.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Acting Chairman Evans.

III. PUBLIC HEARING - None

IV. MINUTES OF PRECEDING MEETING: July 9, 2015 Meeting

A correction was made as follows: item 14/15-15 (page 7, 1st paragraph, 5th line) to replace "cannot" with "could."

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

RESOLVED: That the Town Council accept the minutes of the July 9, 2015 Meeting as amended.

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

V. COMMUNICATION FROM AUDIENCE

Michael Farrell, 67 Brentwood Drive, appeared before Council as Chairman of the Avon Water Pollution Control Authority (AWPCA) and commented that the Authority's objective is to keep everything flowing to the three towns that treat our effluent. He noted on a few projects that they have completed and are undertaking: Haynes Road is done – it was a phenomenal project, we ran sewers down the entire street and the neighborhood cooperated to have Avon Water Company and Connecticut Natural Gas run water and gas lines down the street; it was a two and a half year project with a lot of public meetings and at the end of the day we had overwhelming favorable comments come back from those residents as it was a great improvement to a big area. Mr. Stokesbury questioned if the final paving has been done. Mr. Farrell responded yes. He also commented that they have recently been approached with a petition from residents of the Paper Chase/Hurdle Fence area to run sewers in that neighborhood; some boring tests have been done, there are preliminary feasibility studies, they had a public meeting in July with tremendous attendance and we should enjoy overwhelming success there with just shy of unanimous support from the neighborhood. Mr. Stokesbury questioned if that will tie into Stagecoach Road. Mr. Farrell responded that will tie into Cambridge Crossing and he noted that it will be a deep sewer and some preliminary costs are on the high side but they are looking into alternative means like a low pressure sewer system which we have not dealt with yet in Town but they are very common in the State and could bring down the cost burden to residents significantly. Mr. Stokesbury questioned if that type of system is limited by topography. Mr. Farrell responded that the low

pressure sewer system is not bound by gravity rather it is a pump system, low and slow; the detriment is that each homeowner will have a pump but most were in favor of that. He added that they have also been approached by residents on Winding Lane where we will get into the preliminary feasibility studies in that area which will include three-quarters of the Winding Lane loop for now but once we get the first section in it would stand the reason that we would continue that and go down Old Farms Road to the Simsbury shed. He also reported that they have also been active keeping up with some of the mandates from DEEP, one is the FOG (Fats, Oils, and Grease) Program where anyone that runs a commercial kitchen is required to have a maintenance device to eliminate fats, oils, and greases from going down the trap and clogging up the sewer system. He noted that it is a mandatory reporting and there is an application fee with an inspection by our Superintendent of Sewers once a year; this has kept us fairly busy, it is a newer program and we have 100% compliance and have not had anything that is problematic to the collection system. He reported on the Easement Access Program that for far too many years the Authority was remiss in not maintaining our access to many easements that run through the Town, particularly the Roaring Brook and Nod Brook connections. He noted that if they were to become problematic for us it would be a huge undertaking just to get to the breach and we are starting to take a very proactive approach to that because we cannot sit on a liability that we are aware of so we have money budgeted in the last two fiscal years and have steadily increased that amount and are considering coming back for a special appropriation out of Fund 5 to keep the momentum going on that until we can make some headway. He noted that this item came to a head when they got into the I&I (Inflow and Infiltration) Study where we had some issues physically getting to some of our trunk lines just to put down the meters and the cameras. He added that by not being able to find some of our manholes shed some light on how important it was to maintain that easement access so those two programs complemented each other pretty well. He added that as a result of that we were able to identify and repair some significant inflow issues by unauthorized hook-ups and some breaches in our plumbing and all of that is water that comes in that has to be treated and the sewer system users are going to pay for that treatment, as will the Town ultimately, as it goes through our three neighboring communities. He reported that we were able to stop a lot of significant breaches in the system and identify some hazard areas. He reported that GIS mapping is a continuing project; in the past we have used some interns for summer help; we have purchased some new equipment specific to the GIS mapping and have a pretty good feel for what we have buried in the Town relative to the sewer system. He noted that the Authority will continue to support that system as well. He concluded by reporting that he has lived in the Town for fifty-one years and he is moving; he has taken a job with the Torrington Fire Department and he will be tendering his resignation from the AWPCA effective at the completion of the September meeting. He noted that the AWPCA Vice Chairman is Eric Johansen who is very well poised to take over. He noted that currently four out of five members are born and raised in this Town so there is a lot of institutional wisdom in there and he thinks that is important so perhaps something to bear in mind as you consider your replacements. He noted that he has a good run here with 33 years in the Avon Volunteer Fire Department, coached and umpired Little League, coached Recreation and Parks basketball, most of his family still lives there, and he thanked the Council for re-appointing him. He has been blessed to service since 2003 and as Chairman since 2010 and he had a great time doing it, met a lot of good people, had a lot of fun, and he thinks they have done a pretty good job of steering that ship down the quiet path. He thanked Council. He will also forward an e-mail with his resignation. Acting Chairman Evans thanked Mr. Farrell for his service and what he does for the Town and for the report on the AWPCA. He also suggested to the Town Manager a scheduled periodic review for the AWPCA every six months.

VI. COMMUNICATION FROM COUNCIL

Mr. Pena reported that he attended the 100th birthday celebration for Katie Ruez where he read the proclamation from Council and she was very happy and wanted him to thank Council on her behalf. He also thanked Jamie DiPace, the Avon Volunteer Fire Department and all who put together the event marking the 10th Anniversary of the Avon Mountain Tragedy. He asked the Town Manager about the status on the work that needs to be done at Company #1 for the election that is coming up as the back entrance needed to be repaired. The Town Manager responded that it has not been done yet but the Director of Public Works will talk with the company that is doing the work on the Avon High School entryway to see if they can do a precast set of steps in the back of Company #1. Mr. Pena noted that the sidewalk at the front of Company #1 is broken up and might need some attention as well, particularly with upcoming elections.

Mrs. Maguire reported that we had a very comprehensive tour with Fire Chief Mike Trick this past Monday and she wanted to thank him for taking hours and taking them to each of the fire stations and seeing from top to bottom the conditions, good, bad, and indifferent, and they got an idea of many areas that need some work and attention and some things that are going on there; they also met the Captains who did a great job showing their stations; it was very eye-opening. She added that you walk away that we are blessed to have a great group and very dedicated volunteers to look over our Town; they are very well trained and very committed and spend a tremendous amount of time there.

Mr. Stokesbury reported that he had the fire station tour with Fire Chief Mike Trick last Saturday and he echoed Mrs. Maguire's thoughts and it shows that we are blessed with community spirit and dedication from a large group of folks. He commented on the Avon Mountain Tragedy anniversary which was moving and we thank the fire service and other first responders for that event. He noted that regarding the lighting at the voting poll locations at the Avon High School one of the projects was to do a curb cut at the side entrance into the small gym so it is more handicap accessible and last he spoke to Mr. Mala about it they were also going to improve the lighting at that location.

VII. OLD BUSINESS

14/15-72 Appointment: Planning and Zoning Commission - Alternate (R-12/31/2015)

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

RESOLVED: That the Town Council table agenda item 14/15-72 Appointment: Planning and Zoning Commission (R – 12/31/2015) to the September 3, 2015 meeting.

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

15/16-01 Review, Discussion, Set Public Hearing: Amendment of Article V of Chapter 53 Section 88 of the Town Code of Ordinances entitled Sidewalk Construction and Repair

Acting Chairman Evans reported that this item deals with the obligation of homeowners in Town to maintain and repair their sidewalks and was before Council last month where we saw general mark-ups and changes to the Town's ordinance that addresses sidewalks. He noted that we were under the advice of the Town Attorney to make these revisions and conform our ordinance to

State law based on a recent Supreme Court decision that talked about the clarity and words we need to use in our ordinance to make clear that abutting owners assume responsibility for maintenance and clearing ice and snow from our sidewalks. He added that we have seen the blackline version of the proposed changes and the next step would be to set a public hearing.

The Town Manager reported that he will continue to work with the Town Attorney to try to perfect the wording as it is still a little hard to follow; the intent will not be changed.

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 their September 3, 2015 meeting to consider and permit all interested persons to speak on the plan of the Town Council to amend Ordinance Sec. 53-88 Liability, placement and removal of snow, obstructions or hazards, violations and penalties.

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

VIII. NEW BUSINESS

15/16-04 Approve Eagle Scout Proclamations

Acting Chairman Evans reported that two Avon residents, Frank Campanelli and John Kostal, Jr., are being recognized by the Town for achieving the rank of Eagle Scout of Boy Scout Troop 274 at a ceremony being held on August 21st.

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

RESOLVED: That the Avon Town Council present to John Alexander Kostal, Jr. and Frank Robert Campanelli the following Proclamation:

August 6, 2015

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

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

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

Congratulations on your outstanding achievement!

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

15/16-05 Approve Fiscal Year 2016/2017 Budget Calendar

Acting Chairman Evans questioned if this budget calendar has been coordinated with the Board of Education. The Town Manager responded yes, in terms of submitting their capital and operating budgets to Town Council.

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

RESOLVED: That the Town Council adopt the Fiscal Year 2016/2017 Budget Calendar as follows:

ACTIVITY	LATEST DATE PER TOWN CHARTER	RECOMMENDED DATE
Capital Budget Forms Prepared and sent to Departments		August 03, 2015
Operating Budget Forms Prepared and sent to Departments		September 04, 2015
Completed Capital Budget Forms returned to Town Manager		October 02, 2015
Completed Operating Budget Forms returned to Town Manager	February 15, 2016	October 30, 2015
Town Manager's Proposed Operating and Capital Budget submitted to Town Council	March 01, 2016	January 15, 2016
Board of Education Budget to Town Council	February 15, 2016	February 05, 2016
Capital Improvement Program Submitted to Planning & Zoning Commission for Sec. 8-24 Review		March 01, 2016
Budget Work by Town Council completed and Budget Submitted to Board of Finance	April 01, 2016	March 28, 2016
Public Hearing on Budget held by Board of Finance not later than three (3) weeks before May 02, 2016 Town Meeting	April 11, 2016	April 11, 2016
Board of Finance Completes Work on Budget		April 13, 2016
Copy of Budget approved by the Board of Finance printed in Newspaper at least five (5) days before the Annual Town Meeting	April 27, 2016	April 26, 2016
Annual Town and Budget Meeting First Monday in May	May 02, 2016	May 02, 2016
First Referendum	May 13, 2016	May 11, 2016
Second Referendum	June 03, 2016	June 01, 2016
Third Referendum	June 24, 2016	June 22, 2016

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

15/16-06 Contract Recommendation: Sycamore Hills Pool Restoration Project

The Town Manager reported that in fiscal year 2015/2016 budget there is a capital project appropriation for \$170,000 to make various improvements to Sycamore Hills Park and a large portion of that appropriation is for various improvements that need to be made to the swimming pools which includes replacing the coping along the edges of the pools and tile replacement around the pools. He added that it is a required maintenance project, it was put out to a competitive bid process, and the contractor being recommended is the low bid. He noted that the plan is to move forward with this project as soon as the season closes and once complete we will start putting together a bid package for the balance of the work at Sycamore Hills which will include improvements to the Senior Center area and will hope to have ready to do in spring 2016. Acting Chairman Evans questioned if we anticipate using the full \$170,000. The Town Manager responded that he did not know; in terms of the appropriation for the pool work it came in pretty close to what we were estimating so with the balance there is more than enough work at Sycamore Hills to be done. Mr. Stokesbury commented that the pool work bifurcated between the major portion in the fall and more work in the spring. The Town Manager responded that he thinks most of the work will be done this fall and spring is going to concentrate on the Senior Center building. Acting Chairman Evans questioned if they are being asked to just approve the recommended contract or does it require a supplemental appropriation. The Town Manager responded that Council is just approving the recommended contract, there are funds available, and it is just a function of the purchasing policy because it exceeds the threshold.

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

RESOLVED: That the Town Council award the contract for the Sycamore Hills Pool Restoration Project to Savol Pools of East Hartford, CT, based on their low bid in an amount not to exceed \$82,270.

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

15/16-07 Supplemental Appropriation: Emergency Management Performance Grant

Acting Chairman Evans reported that this is an annual federal grant that is implemented through the State for the fire inspections. The Town Manager responded that the grant allows for an increase in fire inspections which is the work that Jamie DiPace and Tom Post do and it also allows us to increase the number of hours of administrative support for that department. He noted that the reason we do not budget for this program is that on an annual basis we are never sure what the prognosis is for funding in the next year, similar to the Youth Services grant that we deal with on a supplemental basis. Acting Chairman Evans questioned if the proposed use of these grant funds is actually written in the grant. The Town Manager responded yes.

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

RESOLVED: That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed \$9,056.50 from General Fund, Other Financing Sources, Unassigned Fund Balance, Account #01-0390-43913, to General Fund, Fire Prevention, Reg Part Time, Account #01-2201-51012 for the purpose of funding the increase of part-time support staff wages to supplement the Emergency Management Director's duties.

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

15/16-08 **First Amendment to Equipment Sharing Agreement Farmington Valley Trail Maintenance**

Acting Chairman Evans questioned that we are not approving the specific expenditure for this program, but rather approving the amendment to the agreement that allows us to add Bloomfield as part of the towns that share in this. The Town Manager responded yes. He noted that this is a cooperative purchase involving a number of towns and Council would be authorizing the Town Manager to execute an amendment to the original Equipment Sharing Agreement that was approved in 2008 which includes new equipment, the hot boxes and pot hole patching, and to also include Bloomfield now. Acting Chairman Evans questioned if the hot box is part of a reimbursement or if we are all making a contribution to its ownership. The Town Manager responded that we are all making a contribution to the ownership. He noted that the State through this Intertown Capital Equipment Program administered through OPM has agreed to pay 50% of the cost and for the projects that we are participating in we apportion the costs equally between the towns that are involved. Acting Chairman Evans questioned where the equipment is kept. The Town Manager responded that he is not sure but will probably be kept in Avon or Simsbury because of the central location. He noted that the equipment for the trail maintenance grant is housed in Simsbury. Acting Chairman Evans questioned if the equipment is specifically for repairing pot holes. The Town Manager responded that there are hot boxes and a smaller paving box for trenches, sidewalks, all paving management related. Acting Chairman Evans questioned if there have ever been any issues about coordinating the schedule with our neighboring town for the equipment. The Town Manager responded not that he has heard about and has worked out very nicely. He noted with the 2008 agreement there was a lot of time put into it and is a very comprehensive and well thought through agreement and has been functioning fine other than changing the equipment that we will be sharing.

Mr. Stokesbury commented that the name on the agreement is a bit of a misnomer now because it is a broader equipment sharing than just tied to the trail which is great and we should do more of that. Acting Chairman Evans commented that all other Towns have already approved the amendment except for Burlington. The Town Manager noted that this has to go out to bid and once we have final numbers we will come back and request a supplemental appropriation. He added that he is not sure what the source of funds is going to be yet, but we do have an assignment on fund balance that can be used for capital projects and this would fit perfectly. Acting Chairman Evans questioned that the total projected cost is just under \$15,000. The Town Manager responded yes. Mr. Pena questioned the total cost of the equipment. The Town Manager responded that it was upwards of \$100,000. He noted that it would be cost prohibitive for any town individually to purchase this equipment. Mr. Pena questioned at what dollar figure and how often we use the equipment would we say that we really do not want any more towns based on the frequency of the equipment usage per town. The Town Manager responded that at some point if we find that it is really working out well for us then we could make an argument that it makes sense for us to have one just for Avon or look at it on a smaller basis and share with one other town. He noted that if the equipment can help us repair the pot holes and keep the roads in better conditions then cost becomes a secondary factor. Acting Chairman Evans questioned that prior to now when the last time is that we added a town to this agreement. The Town Manager responded that there is only the original agreement and have not had any reason since then to amend it because we have not had access to funding through the State grant and there is no other equipment that we have decided to share in the meantime on a formal basis. He noted that there is an interesting bartering economy that goes back and forth between the

Departments of Public Work but this is the first equipment sharing since 2008. Mrs. Maguire questioned how much time Avon has the equipment. The Town Manager responded that he did not know. Mr. Pena commented that this particular equipment will take hard asphalt and melt it down so that we can use it again. The Town Manager responded yes and instead of going out in the winter with the cold patch which never works and keeping in mind that plants are not open in the winter this is how we get the hot product that has a better life and seals in place.

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

RESOLVED: That the Town Council approve the following:

WHEREAS, on or about November 1, 2008 the Towns of Avon, Simsbury, Canton, Farmington, Granby, East Granby, Suffield and Burlington (“Participating Municipalities”) executed an Equipment Sharing Agreement (“the Agreement”) for the purchase, operation and use of certain equipment identified in Schedule A to the Agreement, and

WHEREAS, those Towns wish to add (a) equipment covered by the Agreement, and (b) the Town of Bloomfield to the Agreement as a Participating Municipality; and

WHEREAS, the Town of Bloomfield desires to join the Agreement as a Participating Municipality.

NOW, THEREFORE, the Agreement is hereby amended as follows:

1. The Town of Bloomfield is added to the Agreement as a Participating Municipality.
2. Schedule A to the original Agreement is deleted and replaced with Schedule A to this First Amendment.
3. All other provisions of the Agreement not amended by the provisions herein shall remain in full force and effect.
4. This First Amendment shall take effect from the date of its adoption by the Legislative Body of each Participating Municipality.
5. This First Amendment may be approved by counterparts by each Participating Municipality.

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

IX. TOWN MANAGER’S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager reported that today he signed the purchase order for treated road salt for 3,000 tons on order with a cost of \$280,000. He added that with the Avon Middle School Science Lab Project they have a short list of architects and expect that we will have a recommendation for Council for the appointment of an architect at the September meeting. He noted that we are in the beginning preparations for Avon Day with a bid package out for equipment rental. He added that we are working through the next phase of our STEAP grant as we have another \$450,000 from the Small Town Economic Assistance Program (STEAP) grant through the State to continue with our sidewalk and lighting project along the east side of Simsbury Road. He added that we are working with the abutter, primarily the Brighenti’s, and putting bid packages together. He noted that it is unlikely that you will see this project completed this calendar year, rather all of the agreements will be finalized and get things ready for spring 2016. Mr. Stokesbury clarified that the location is north of Route 44.

Misc. B: Construction Update: The Town Manager reported that for road work, Stagecoach, Woodmont, and Briar Hill milling is going to start tomorrow and will be completed by the end of next week with paving tentatively scheduled for August 24th. Acting Chairman Evans questioned how the State is doing with Lovely Street as it has been milled but slow paving it.

Mr. Stokesbury responded that he sees daily work with curbing work and it appears that they are almost ready to pave the street. The Town Manager responded that he had the milling schedule but he does not know that they finalized the paving schedule yet and the State is trying to do a lot of the work at night so it does not conflict with peak traffic hours and seems to be working out pretty well. He will follow up and add it to the Town's web site.

The Town Manager reported that we are waiting for the roof-top units to be delivered for Roaring Brook School. He added that we also partnered with the Parent Teacher Association (PTA) to have a new pavilion in the back at Roaring Brook School installed and the Department of Public Works is in the process of building a 16' x 20' concrete pad for the pavilion.

The Town Manager reported that we are working with KBA on the designs for the patrol building. He noted that we had funding available in the capital budget for architectural services to look at police buildings 3 and 4. He added that this is something that you will see in the capital budget and for now we are working with staff to make sure that from a programmatic perspective it meets everybody's needs and we further refine it.

The Town Manager reported that with the fire training center Farmington received bids that were a little bit higher than anticipated and they have decided to go back out to bid again. He does not expect that the project will start this calendar year. He added that the re-bid approach will allow us to see what we want to purchase directly and pick other items factoring in donations for building trades and in-kind services and then know what we actually have to pay for. Acting Chairman Evans questioned if it the original bid was for the entire project. The Town Manager responded yes. Acting Chairman Evans questioned what the drivers were that had the bids come in so high. The Town Manager reported that he did not know what the big deviations were. He noted that from a purchasing perspective we allowed Farmington to take the lead with the mechanics of it. Mr. Stokesbury commented that there was an article in the Hartford Courant today.

The Town Manager reported that with solar the Avon Middle School, Department of Public Works, and Avon High School are up and running. He noted that Avon Middle School was the last one to come online. He will include some more detail about this in Council's packet in the future. He noted that they did have to downsize the systems because of the structural integrity of the roof. Acting Chairman Evans questioned if there is any projected change in the expected savings as a consequence of that. The Town Manager responded yes because there is a change in the size of the system and now that the Middle School is complete he asked Solar City to run all new projections and should have those for the next Council meeting.

Misc. C: Town Planner: The Town Manager reported that a new Town Planner will be joining us towards the end of the month, Hiram Peck. He noted that he had a chance to work Hiram when he was in Simsbury and is very pleased that he is joining us. Acting Chairman Evans asked if Hiram would be able to come in and introduce himself at the next Council meeting. The Town Manager responded yes. Mr. Stokesbury questioned if this changes Steve Kushner's expected status. The Town Manager responded that it does not, but we will probably need Steve for less of the general consulting than we anticipated as he will be primarily focusing on the Plan of Conservation and Development.

Misc. D: State Bond Commission: The Town Manager reported that at the last State Bond Commission we did have an appropriation of \$200,000 which will be used to offset the costs of the fire training center. Mr. Stokesbury questioned if that was just to Avon or both Avon and Farmington. The Town Manager responded that whenever you look at the language on the agenda item it said it was a grant to Farmington to fund the shared services project between Avon and Farmington.

X. EXECUTIVE SESSION: Collective Bargaining

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

RESOLVED: That the Town Council go into Executive Session at 8:20 p.m.
Mrs. Maguire, Messrs: Pena, Evans, and Stokesbury voted in favor.

The Town Manager and Town Clerk attended the session.

XI. ADJOURN

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

RESOLVED: That the Town Council adjourn the meeting at 8:30 p.m.
Mrs. Maguire, Messrs: Pena, Evans, and Stokesbury voted in favor.

Attest:

Ann L. Dearstyne, Town Clerk