

**AVON TOWN COUNCIL
MEETING MINUTES
February 4, 2016**

I. CALL TO ORDER

The meeting was called to order at 7:30 p.m. at the Avon Town Hall, in the Selectmen's Chamber by Chairman Zacchio. Members present: Mrs. Maguire and Messrs: Pena, Stokesbury, and Speich.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Zacchio

III. PUBLIC HEARING: None

IV. MINUTES OF PRECEDING MEETING: January 7, 2016

Corrections to the January 7, 2016 Meeting minutes were made as follows:

On page 3, under "Communication from Council" (1st paragraph) change "Apshure" to "Abshire."

On page 17, under "Executive Session" (last sentence) to insert "near" before "abutters." Under "Adjourn" remove Stokesbury from the motion as he was not present for the vote since he removed himself from the last item being discussed under Executive Session.

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

RESOLVED: That the Town Council accept the minutes of the January 7, 2016 Meeting as amended.

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

V. COMMUNICATION FROM AUDIENCE

Ann Marie Adams, 239 Old Farms Road, commented that she has been a resident of Avon for about thirteen years and is a reporter in and out of Avon. She commented that she has been harassed for several years and made complaints with the Avon Police Department but there is no resolution. She noted that someone has damaged her door and there has been no arrest or investigation. She is not sure if they have adjudicated the case. Chairman Zacchio questioned if she knows who damaged her door. Ms. Adams responded that she thinks it was last winter; the door is still damaged and she asked what the resolution is for that. She added that she is being forced to engage the Police Department a lot which is using her time; she runs a business, is very busy and is a caretaker. She is looking for some resolution so she can live her life peacefully without harassment in Town. She asked how she could get the Town Council to support her with her resolution. Chairman Zacchio questioned how the Police Department is engaging her. Ms. Adams responded that she made the complaint to the Police Department and another time she was driving one summer eating ice cream and then she is being accosted by the Police Department. Chairman Zacchio asked what she meant by accosted. Ms. Adams responded that

she means she is driving and the police stop her. Ms. Adams added that she has made complaints about being harassed in Town and they are calling the Mobile Crisis Unit and asked why that is happening. She asked the Town Council to look into what is going on with the Police Department and their need to engage me. She does not know if it is because she is a reporter and is told by other reporters that might be the case because she covers the White House and State legislators. Chairman Zacchio responded that he is sure the Police Department is not harassing Ms. Adams because you are a reporter or harassing you at all. He noted that Ms. Adams was talking to the Chief of Police before this meeting and asked if they were able to talk about this and he can ask the Chief of Police to look into the allegations and case and report back to us. Ms. Adams responded yes and that the police officer resigned but she needs a resolution in terms of harassment – almost every night during the last election and recently last week. She is hoping that from now until the rest of the year that she will not be harassed by the Avon Police Department. Chairman Zacchio responded that we will look into it and ask the Chief of Police to follow-up. Ms. Adams thanked the Council.

VI. COMMUNICATION FROM COUNCIL

Chairman Zacchio reported that Mr. Speich just received a proclamation award for twenty years of service on the Board of Finance before joining the Town Council. Mr. Speich extended thanks to the Board of Finance for the plaque.

VII. OLD BUSINESS

15/16-24 Appointment: Youth Services Advisory Board (R – 12/31/2017)

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

RESOLVED: That the Town Council table agenda item 15/16-24 Appointment: Youth Services Advisory Board (R – 12/31/2017) to the March 3, 2016 meeting.

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

15/16-25 Appointment: Avon Water Pollution Control Authority (U - 12/31/2018)

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

RESOLVED: That the Town Council table agenda item 15/16-25 Appointment: Avon Water Pollution Control Authority (U – 12/31/2018) to the March 3, 2016 meeting.

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

VIII. NEW BUSINESS

15/16-35 Consider and act on a resolution authorizing the issuance of bonds to refund in whole or in part the Town's outstanding \$27,885,000 General Obligation Bonds, Issue of 2009, dated as of October 15, 2009, and to pay costs of issuance of the refunding bonds

Chairman Zacchio reported that we have approximately \$11,500,000 of outstanding debt from the Town Hall Renovations, the Avon High School and Middle School Renovations, and because the interest rates are very favorable and the bonds have a callable feature we have an opportunity

to refinance those bonds and save approximately \$378,000 over the life that is left in them today with a maturity of 2027. He noted that Dennis Dix, Town's Financial Advisor, is here to explain this process. He added that our debt policy the Council to approve any authorization of borrowing.

Dennis Dix, Town's Financial Advisor, made a brief presentation. He noted that refunding is like a refinance on your home mortgage, trading in higher rated debt for lower rated debt in terms of bonds. He reported that over time the Town will save on its debt service; the original number was about \$425,000 and for a variety of reasons the savings have gone down approximately \$49,000 but the deal is still doable, it makes sense, and the guideline we work with is a net present value figure and as long as it is above 2% as stated in the Town Debt Policy a refunding is an economic and viable transaction. He added that we are still at about 3% net present value; we have good savings, we will continue to look at these numbers as we go forward and if it degrades beyond that limit of 2% we will stop and at that point the Town should have incurred no costs. He noted that if it goes beyond the credit ratings it will add to the cost of doing this. He noted that all issuance costs are included in the bond issue with no budget impact. He reported that you have two credit ratings that will be about \$25,000 together and if we go beyond the credit ratings and the market deteriorates as the ratings want to get paid and the Town Manager is aware of this; you get no fee from me and Bond Counsel may have a small fee. He added that we anticipate as the feds have solidified its position and do not seem like they are raising rates for the rest of the year, we will watch the market, run these numbers and hopefully will stay with us. He asked the Council to contemplate this and authorize the refunding. Chairman Zacchio commented that we are not borrowing any more money or not extending the life of the loan at all and now have an opportunity to save \$378,000 between now and 2027 when these bonds would have matured naturally. Mr. Dix responded that you are going to be borrowing about the same amount. Chairman Zacchio commented that for us it builds capacity in the debt service line, it is interest payments that we will not have to make in the future but it does not kick in for a number of years. Mr. Dix responded that the refunding bonds with the proceeds of \$12 million and change is invested in US Securities, Treasuries, or SLUGS (State and Local Government Securities) that are tailored to make sure that we do not violate any arbitrage rules and go into an escrow account. He added that in 2020 we call the bonds, empty the escrow and they are off the books as of March 15th which is the settlement date of this transaction. He added that there will still be debt service on the remaining portion of three or four years in the budget as part of the overall debt service calculations. Chairman Zacchio commented that there is an overall net savings over that time. The Town Manager commented that beginning in this fiscal year there is a slight reduction in debt service and accelerates in the out years. Chairman Zacchio questioned the risks. Mr. Dix responded that the risk is down the road, maybe incurring some issuance costs out of other funds not included if the market goes south on us. Chairman Zacchio questioned when that timeframe is. Mr. Dix responded that we are going to price these on March 2nd and settle on March 15th.

Mrs. Maguire questioned if this is something that can only be done once in a life of a bond. Mr. Dix responded yes, this is called an advanced refunding and the IRS only lets you do one on each issue. He noted that if we did this within 90 days of the call date then it would be considered a current refunding and could refund them over and over. He added that once you go past a call date on refunding bonds you can do a current refunding on those. He noted that the reason we have never done these in Avon before is that they are complex. The Town Manager commented

that usually when we go to the market we are in a competitive situation and in this case we are working with an underwriter, Piper Jaffrey, who will turn around and place the bonds to make sure we get the interest rate. Mr. Dix noted that we hire a third-party market expert who works with us on the day of pricing and is looking at each different maturity to make sure that the underwriter is giving us a fair shake and he will give us a report and this is for the Town's protection. He reported that West Hartford sold some AAA bonds last week, 15 years at 2.02% and Avon is looking at 1.6% so that is a measure that you are getting a fair shake from the underwriter. Chairman Zacchio commented that we are not going to see much better rates than that. Mr. Dix noted that if the Town waits until 2020 and get a current refunding and rates stay the same as they are today you would do a lot better but who knows what is going to happen in four years.

Mr. Speich asked what Moody's thinks about something like this. Mr. Dix responded that they like it as it is good management of your debt, reducing your debt service. Mrs. Maguire commented that she liked the original number better. Chairman Zacchio commented that it may change between now and March and may change for the worse and decide not to do it. Mrs. Maguire commented that is her only concern, what is ahead, and why right now. Mr. Dix responded that what Council is authorizing is \$12,000,000 and does not expect that we get to that level.

Mr. Stokesbury commented that the event we are looking at seems to be tied to the economic situation in 2009 when our bonds were issued as compared to today. He asked if other towns are looking at this for other 2009 series bonds or are we unique. Mr. Dix responded that your situation is your situation. He noted that he just did a refunding for the Town of Sterling for 2007 bonds; it is all over the place and there are a fair amount of refunding going on now because rates are low and getting closer to call dates where the refunding becomes more attractive. Mr. Stokesbury questioned if the drop in anticipated savings that has been reported over the last week tied to the increase in the fed rate. Mr. Dix responded that there is the spread between the municipals and treasuries; when it is wide it does not help us, the spread now is getting tighter so the difference between the bonds and what is going into the escrow is giving us the squeeze here and want to watch that. He noted that we had to add \$10,000 to the issuance costs because it would make more sense to use open market treasurer securities and another process that has to be gone through. He added that the earnings in the escrow are less than what is happening to pay the refunded bonds. He noted that there are so many moving parts with this. Mr. Stokesbury commented that when we issue bonds we often receive a premium for doing so from the winning bidder because of our bond rating. He noted that this event also has a bond premium in it and in this case that premium would not be paid to the Town and rather rolled into the numbers so although there is a calculation as to what the premium is and it is a significant number, he asked if the only benefit that we see out of this is to reduce debt service by \$378,000. Mr. Dix responded that the premium becomes part of the escrow and not directly applied to debt service as it would in an otherwise typical bond issue. He noted that cash out of hand on this the Town is going to get about \$4,000. The Town Manager commented that in the past when we get the premium and it is the difference between the yield and the coupon we actually receive it in cash, park it in a capital account, and as discussed beginning last year we've drawn down a portion of that bond premium to offset debt service and put the capacity into capital and when we talk on Saturday morning Council will hear that he is suggesting the same thing again. Mr. Stokesbury commented that it is netted into the process and the benefit to the Town is this

savings on the debt service. Mr. Dix responded that it is the spread between the coupon and the yield. Chairman Zacchio commented that it is the net savings to the Town which is inclusive of all the costs and all the benefits which is \$378,000. Mr. Stokesbury commented that we could wait, mindfully watch this, and do this anytime between now and the call date. Mr. Stokesbury asked Mr. Dix for his professional recommendation. Mr. Dix responded to do it; it did not work in the past, it will work now, it may or may not work in the future. Chairman Zacchio responded that it has never worked in the past as we have talked about it a half dozen times.

Mr. Pena commented that there is no direct cost to the Town because any cost is going into the \$12,000,000+. He questioned the original term on the bonds. Mr. Dix responded that the original bond issue was 20 years. Mr. Pena commented that now we are going to refinance it to 2027 which is an additional 11-12 years. Mr. Dix responded that you can only go as long as the outstanding bonds that are being refunded per State law. Mr. Pena questioned that our payments will be reduced. Mr. Dix responded yes. Mr. Pena commented that we will have a reduced payment and asked about the difference. Mr. Stokesbury responded that no one pays it. The Town Manager responded that how we will see it is a reduction in debt service. Chairman Zacchio commented that we have been using capacity within debt service today to roll into capital so it increases that ability or if we go to borrow for fields or the Fire Department there is extra capacity to do that which we have done in the past. The Town Manager commented that if you think about our debt service amortization schedule and look at the budget you will see that going into fiscal year 2016/2017 there is a \$511,000 reduction in debt service so if we go forward with the refunding based on the current projections that \$511,000 goes to a \$523,000 reduction. He noted that there are a few options and historically we have swung that capacity back into the capital budget for the further reduction in debt service.

The Town Manager reported that the resolution was prepared by Doug Gillette, Bond Counsel.

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

RESOLVED: That the Town Council approve the recommendation of the Town Financial Advisor and approve the resolution as presented to us and read as follows:

THEREFORE, Resolution of the Town Council of the Town of Avon authorizing the issuance of refunding bonds for payment of all or a portion of the outstanding principal of and interest and any call premium on the Town of Avon's \$27,885,000 General Obligation Bonds, Issue of 2009, dated as of October 15, 2009, and costs related thereto

RESOLVED,

(a) That the Town of Avon issue its refunding bonds, in an amount not to exceed TWELVE MILLION DOLLARS (\$12,000,000), the proceeds of which are hereby appropriated: (1) to fund one or more escrows, and to apply the balance held in such escrows, together with the investment earnings thereon, to the payment in whole or in part, as to be determined by the Town Manager and the Treasurer of the Town, of the outstanding principal of and interest and any call premium on the Town's \$27,885,000 General Obligation Bonds, Issue of 2009, dated as of October 15, 2009 (consisting at original issue of \$2,295,000 General Purpose Bonds and \$25,590,000 School Bonds), including the payment of interest accrued on said bonds to the date of payment, and (2) to pay costs of issuance of the refunding bonds authorized hereby, including legal fees, consultants' fees, trustee or escrow agent fees, underwriters' fees, bond insurance premiums, net interest and other financing costs and other costs related to the payment of the outstanding bonds described above. The refunding bonds shall be issued pursuant to Section 7-

370c of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(b) That the Town Manager and the Treasurer of the Town shall sign the bonds by their manual or facsimile signatures. The Town Manager and the Treasurer are authorized to determine the bonds to be redeemed and the amount, date, interest rates, maturities, redemption provisions, form and other details of the refunding bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds and escrow agent with respect to the refunding escrow or escrows to be funded with proceeds of the bonds; to provide for the keeping of a record of the bonds; to sell the bonds at public or private sale; to deliver the bonds; and to perform all other acts which are necessary or appropriate to issue the bonds.

(c) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that costs of the refunding may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the refunding. The Town Manager and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(d) That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds.

(e) That the Town Council, the Town Manager, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Town's outstanding \$27,885,000 General Obligation Bonds, Issue of 2009, dated as of October 15, 2009, and to issue refunding bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters, trustees, escrow agents, bond insurers and others to facilitate the issuance of the refunding bonds, the escrow of the proceeds thereof and investment earnings thereon, and the payment of the outstanding bonds in whole or in part.

(f) That the above authorization to issue refunding bonds shall lapse on June 30, 2017.

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

15/16-36 Presentation: Avon Village Center

Chairman Zacchio reported that with everything going around the Town Center being developed he thought it was a good idea for Hiram Peck, Director of Planning and Community Development, to come in and give us this presentation just to ground us all on what's being

done, another opportunity in a public setting to hear from Mr. Peck on how this is going to flow, what the permitting processes will be, and the controls that are in place as we move forward.

Hiram Peck made a presentation, which is attached and made part of these minutes. He noted that it encompasses a little bit of history and what has happened with the application so far. He commented that you go into a lot of towns and ask where are we? Avon would like to have a specific character that encourages people to come into this area, witness it, take part in it, and to be specifically impressed with what they see here. He reported that two developers that he is aware of looked at this potential Plan and decided that they could not go through with it and then the Carpionato Group out of Providence, Rhode Island, came and took a look and could make it work with some modifications if accepted by the Planning and Zoning Commission. Mr. Peck reported that Map "D" is what the Commission got to look at when they made its decision but this is not exactly the Plan that will be built. He noted that the way the decision was written that the Commission adopted allowed them to set the template for what the development could ultimately be in various sections with so many square feet of retail/commercial or so many units of residential so it may not look like exactly like this. He added that the developer will be held to what the Commission approved in November 2015. He highlighted the changes made to the Plan from the 2012 Plan; there is more retail given the amount of acreage and in order to make it work economically a lot of work was put into this so when it does get built it will work and be sustainable long-term; office development was reduced as there is less call for that type of space with current office buildings that are empty or more entrepreneurial opportunities; a significant upgrade with regard to the bike trail/greenway and benefit the businesses there, and the new Plan would result in 1,232,277 total square feet when built. He added that the way the Commission structured its decision is that it will not allow the developer to build all residential or retail first, rather structured so that a percentage of retail, commercial, and residential goes forward simultaneously. He highlighted that there was a lot of discussion about which roads would remain public and whether new roads would be private or public and will work through that as we go forward in the future but infrastructure is going to be really important to make sure it works out well for the Town. He noted that when they recently talked to the Chamber of Commerce there were no significant negative comments about high quality architecture but is sure they are very interested as well.

Council thanked Mr. Peck for a great presentation. Chairman Zacchio commented that there was a lot of work put in by Planning staff and Planning and Zoning Commission and it looks like the essence of negotiation came out to be around the same amount of space but something that makes more sense economically for both the Town and developer. Mr. Peck responded yes. He noted that we want to make sure that what gets built going forward is not only sustainable but is a real credit to the Town going forward. Chairman Zacchio commented that for those that have been involved in this for a long time the key is that it is walkable, it is a destination place and make sure that continues to happen as it develops. He appreciates the hard work that has been put into this. Mr. Peck responded that it will not be easy from now on as there are lots of things to do; they have asked the developer a few times to come to us early on in the process so that they do not come back to us with a plan that they have spent a lot of time and money crafting and have staff or the Commission say they do not like that; we would like to meet with them early on and make sure that we have a decision going forward that we can all live with. Chairman Zacchio commented that it is a partnership and a negotiation.

Mr. Pena commented that the Planning & Zoning Commission approved the concept and now the developer will come in with the individual pieces and will have to go through the Commission for approval as well. Mr. Peck responded yes, the special permit process has to go back to the Commission again. He added that it is a little bit more than a concept, it is a template around the lines of the plans presented; the Commission has a pretty fair idea of what it is going to look like but they can change the buildings or shape. He added that there are a few small places that need Wetlands permits and the Department of Transportation (CTDOT) will be heavily involved with parking spaces and road improvements. Mr. Peck commented that he has a number of suggestions that he would like to make to the developer on how they can save a lot of money in terms of infrastructure. Mr. Pena commented that he is encouraged that the trail system for pedestrians and bikes is being pursued. Mr. Peck responded that they have talked about three different options for the trails. He noted that Carpionato Group and the New England Trails Council met with Planning staff this week and they were enthusiastic that we were willing to meet with them ahead of the process. Mr. Pena commented that he is encouraged that the Commission is looking at it to make it look defined as it is the center of Town and the Plan was shared with the Chamber of Commerce. Mr. Peck added that people coming into the Center will have the ability to go to any one of the places in the Center.

Mr. Speich commented on the fiscal impact report and questioned if the total revenue represents revenue to the Town through taxes and services costs are additional services that the Town would need to provide for having that Center. Mr. Peck responded yes. He added that is a good estimate based upon a typical development; they did use our numbers, our educational costs but that could change in the future. Mr. Speich noted that the mix of the residential units will drive some of that. He questioned if the mix will change very much going through a development plan like this. Mr. Peck responded that one of the keys to a successful development is the ability on the part of the Town to be flexible where we understand that things have changed so we can understand that there are certain things that might help the developer within the template that was approved. Mr. Speich questioned what the mix envisioned as for residential homes versus condominiums versus rental apartments. Mr. Peck responded that from a Planning and Zoning standpoint we cannot control the ownership but he is hopeful that we get a mix with smaller single family homes, duplexes, and apartments; it depends on what happens with the condo market as right now everything is apartments. He noted that he has seen projects developed originally as apartments but constructed so they could be converted under an ownership act to condominiums as they became more favorable so there was less reconstruction. Mr. Speich questioned if there has been any major resistance to the Plan. Mr. Peck responded that four public hearings were held where there were lots of good comments and the Commission took them very seriously, met with neighbors, received phone calls and we tried to adjust and include those concerns in the development approval. He noted that they tried to cover as many things that came up at those hearings as possible and continue to work in that area and make sure the Town is protected. He noted that he would rather see nothing happen here than have something happen which we are unhappy with later on that will be here for a much longer time.

Mrs. Maguire thanked Mr. Peck for the presentation. She questioned if there is a sense of the commercial breakdown, what the developer envisions, what the Town envisions, and if there are any national tenants that they have in other developments that would be potentially interested in this area. Mr. Peck responded that they have talked to him about a lot of that, including a number of specific tenants that he thinks the Town would be very happy to see come here and

others that are not a big box but a big store that can be seen anywhere. He noted that we would like to see the niche retail as far as commercial aspects. He added that in West Hartford people can live there, walk downtown, and go to a nice restaurant very close by. He noted that on a smaller scale with a more rural fabric is what we need to aim for here. He added that they would urge them to bring in high quality retail and high quality residential. Mrs. Maguire commented that would be key.

Mr. Pena commented that he was very much involved with the Chamber of Commerce when the Shoppes at Farmington Valley opened there would be an impact on our businesses in Avon as some moved over there and it is important to know what is around us. Mr. Peck responded that it is important that we create a unique situation that will draw businesses here. He commented that at a public hearing it was mentioned that we will kill the people along Route 44. He noted that it may turn out that there are some retail/commercial businesses that would like to move to the Center and then would create another opportunity to fill that space with someone else by some creative method. Mr. Pena commented it might also be opportunity to upgrade their facility. Mr. Peck responded that there are situations now where people that have not filled their space for quite some time know why not but they want \$60 per square foot and are not willing to settle for \$22.

Mr. Stokesbury questioned if the developer has presented a schedule going forward. Mr. Peck responded no and he is hopeful that their first meeting will take place in the next week or so and discuss how the process in Connecticut works and get there soon; things can take a year easily for some of the procedures that have to be gone through. He noted that their counsel understands that. He added that it is key to understand that this is different and will need special attention. Chairman Zacchio thanked Mr. Peck. He noted that at the right intervals he would like to keep the Council updated in this sort of format; it is educational, they attend some meetings and this brings it altogether and gets Mr. Peck's perspective as well. Chairman Zacchio asked the Town Manager to think about what the right intervals are to keep Council in the loop as far as strategy and moving forward.

15/16-37 Approve Amendment to Municipal Solid Waste Management Services Agreement

The Town Manager reported that Materials Innovation and Recycling Authority (MIRA) is the successor to CRRA and the Town has a long-term agreement with MIRA who accepts all the waste that is generated in our community. He reported that what MIRA is recommending and we agree with is they have recently procured business interruption insurance so if the Town had been liable under the existing contract for their business interruption we would have had to pay for that but since they have the insurance now we are covered. He noted that the current agreement needs to be amended to reflect that; it is in our favor. Mr. Stokesbury commented that we need to make sure that we spend the insurance money before we spend our own.

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

RESOLVED: That the Town Council authorize the Town Manager to execute the First Amendment to Tier 1 Long Term Municipal Solid Waste Management Services Agreement with the Materials Innovation and Recycling Authority (MIRA).

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

15/16-38 Contract Recommendation: Old Wheeler Lane Bridge Project

Chairman Zacchio reported that we are in the process of replacing the bridge on Old Wheeler Lane and we have authorized dollars out of Undesignated Fund Balance as a forward to move into the construction with the State of which most of that is reimbursable. He noted that there is a contract recommendation to move forward with the project. The Town Manager reported that there are two items with this: one is to authorize him to execute the agreement with TradeMark and the second is to authorize him to enter into the agreement with AI Engineers who also assisted with the design phase.

Mr. Speich questioned AI Engineers portion and if it was bid. The Town Manager responded that they were selected through a competitive RFP process. He noted that this project is highly structured because it is in the federal bridge program, 80/20, and have to follow federal procurement requirements and is how we selected AI Engineers to begin with and they have brought us through the design RFP and at the construction stage it is not rebid because we did that once but the contract amount is subject to DOT review and approval.

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

RESOLVED: That the Town Council award the contract to TradeMark Contractors, LLC of Bristol, CT, for construction of the Old Wheeler Lane Bridge Rehabilitation, based on their bid in an amount not to exceed \$574,403.50, contingent upon receipt of funding authorization by the Federal Highway Administration and completion of all documentation required to comply with the Federal Local Bridge program and also authorize the Town Manager to extend the existing contract with AI Engineers to provide professional Construction Administration and Inspection services as required under the Federal Local Bridge program, in an amount not to exceed \$169,568.

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

Mr. Stokesbury commented that the school calendar has school ending very early in June and the contractors having the possibility of taking advantage of more time in June.

The Town Manager reported that there is a slight capital impact and will be discussed at the budget work session on Saturday morning. He noted that being an 80/20 program we did the original supplemental appropriation from Unassigned Fund Balance and we would reimburse that Fund Balance for our portion of the project costs. He added that there will be a recommendation of \$200,000 in the capital budget but will be a little less than that as the bids came in lower.

**15/16-39 Appointments: Planning & Zoning Commission – Alternates
(Two-R – 12/31/2017)**

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

RESOLVED: That the Town Council table agenda item 15/16-39 Appointments: Planning & Zoning Commission – Alternates (Two-R – 12/31/2017) to the March 3, 2016 meeting.

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

15/16-40 Appointments: Recreation & Parks Committee (Two-R – 12/31/2017)

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

RESOLVED: That the Town Council table agenda item 15/16-40 Appointments: Recreation & Parks Committee (Two-R – 12/31/2017) to the March 3, 2016 meeting.

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

15/16-41 Appointment: Town Council Representative for Secret Lake Association

Chairman Zacchio asked the Town Manager is we have someone for this position. The Town Manager responded that he will have it for next month.

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

RESOLVED: That the Town Council table agenda item 15/16-41 Appointment: Town Council Representative for Secret Lake Association to the March 3, 2016 meeting.

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

15/16-42 Appointment: Wild & Scenic River Study Committee (R – 12/31/2017)

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

RESOLVED: That the Town Council table agenda item 15/16-42 Appointment: Wild & Scenic River Study Committee (R – 12/31/2017) to the March 3, 2016 meeting.

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

15/16-43 Appointment: Youth Services Advisory Board (R – 12/31/2017)

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

RESOLVED: That the Town Council table agenda item 15/16-43 Appointments: Youth Services Advisory Board (R – 12/31/2017) to the March 3, 2016 meeting.

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

15/16-44 Resignation: Planning & Zoning Commission (R – 12/31/2017)

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 Audrey Vicino from the Planning & Zoning Commission effective January 30, 2016.

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

15/16-45 Resignation: Zoning Board of Appeals (R – 12/31/2017)

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

RESOLVED: That the Town Council accept with regret the resignation of Brian Ladouceur from the Zoning Board of Appeals effective January 30, 2016.

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

15/16-46 Resignation: Zoning Board of Appeals (D – 12/31/2017)

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

RESOLVED: That the Town Council accept with regret the resignation of Michael Oleyer from the Zoning Board of Appeals.

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

IX. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager reported that the interviews have been completed for the radio system consulting services RFP and the next step is a list of questions and clarifications that need to be answered by the consultants and will work towards a contract award.

The Town Manager reported that we have been working with the Board of Finance on completing an RFP for auditing services; the Board of Finance approved the document and it was advertised on Monday of this week with bids due towards the end of this month. He added that a timeline has been setup with the Board of Finance to have an auditor appoint effective July 1, 2016 to do the audit for fiscal year 2015/2016. Mr. Stokesbury questioned if the existing auditor is an eligible bidder. The Town Manager responded yes; we had discussion about that and are encouraging them to apply for it. He noted that the eligible pool of public auditors in the State has contracted over the last few years. He added that if we go through the process and the decision is made to stick with the current auditors there are ways where we can work around that and look at having another partner in charge, another audit team, and get a fresh look. He expects that the current auditors will submit a bid.

The Town Manager reported that we have a bid out for fuel/oil/diesel, a commodity we procure through the CRCOG Purchasing Council and due into CRCOG on February 9th. Chairman Zacchio commented that we must be running a very positive figure in the budget this year for diesel and asked if we expect next year's budget to change. He noted that winter is not over but so far over time salt, diesel, and fuel must be running positive. The Town Manager responded yes and noted that whenever we purchase these commodities they are fixed and have to project out about a year and half before setting the budget and decide whether or not to enter into these contracts. He added that when we talk about the budget on Saturday morning you will see a reduction in our gasoline and diesel costs because we are projecting that the commodity costs for when those contracts come online is going to be lower. He reported that year-to-date we have spent approximately \$35,000 for spot sanding.

The Town Manager reported that for the STEAP grant package on Simsbury Road the sidewalk is on the east side. Chairman Zacchio questioned if it will lead all the way to the Simsbury line. The Town Manager responded no, we will need to secure an easement for a portion of that and may talk about at a future date. Chairman Zacchio commented that is just before Avon Meadow.

The Town Manager reported that the AWPCA has a few potential sewer projects on their radar. He added that on Saturday morning under the capital budget the AWPCA is going to have a busy year in terms of sewer projects which comes out of Fund 5.

Misc. B: Construction Update: The Town Manager reported that we are gearing up for the upcoming season. He noted that the pool maintenance at Sycamore Hills is looking nice.

Misc. C: Small Town Economic Assistance Grant: The Town Manager reported that we recently submitted a grant application to redo the sidewalk on the east side of West Avon Road. He noted that we have requested this in the past and one of the issues that could be working against us is that we have an award that we have not spent yet. He added that it is a very worthy project that fits in the criteria and our legislators have written letters of support about it. Chairman Zacchio commented that the grant that we have which has not been expended yet is planned for the sidewalks running up Simsbury Road; we are ahead of the cycle in terms of asking for the grant. Mr. Stokesbury clarified an area in the Town Manager's Construction Update memo which actually talks about calendar year 2016 but the text was written in late 2015 and being optimistic to have the project addressed this year and not a whole year from now.

Misc. D: Synthetic Turf Field Project: The Town Manager reported that a letter has been sent to the Board of Education. The Superintendent of Schools should have it on the next Board of Education meeting agenda for discussion. The Town Manager will meet with the Superintendent of Schools, Ruth Checko – Director of Recreation and Parks, and Tim Filon – Avon High School Athletic Director next week to go over more of the background. He noted that we are thinking about this as what it will require from the planning and zoning perspective in terms of the amount of detail we have at this point. Chairman Zacchio commented that we had offered to have BSC Group at the Board of Education meeting to answer questions or a future meeting and we should make sure that is done.

Misc. E: CALEA Reaccreditation: The Town Manager reported that the Police Department is gearing up for this; approximately 459 files will be checked; CALEA arrives at the end of February. He noted that this is very important for the Department as CALEA is a very important gold star to have and it helps us with our insurance premiums. He added that we have been accredited since 1993. Mr. Pena questioned if there is an opportunity to speak in favor of the Police Department. The Town Manager responded yes and he will share the schedule with Council. He noted that the accreditation team has a meeting and they want to hear from the residents which is important.

Misc. F: Old Farms Road-Feasibility Study: The Town Manager reported that at the last meeting he stated that he thought he would have something for this meeting but it is still in the works so he will keep Council posted.

X. EXECUTIVE SESSION:

- A. Pending Claim/Litigation
- B. Real Estate

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

RESOLVED: That the Town Council go into Executive Session at 9:03 p.m.
Mrs. Maguire, Messrs: Zacchio, Pena, Stokesbury, and Speich voted in favor.

The Town Manager and Town Clerk attended the session.

XII. ADJOURN

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

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

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

Attest:

Ann L. Dearstyne, Town Clerk

Town of Avon Village Center

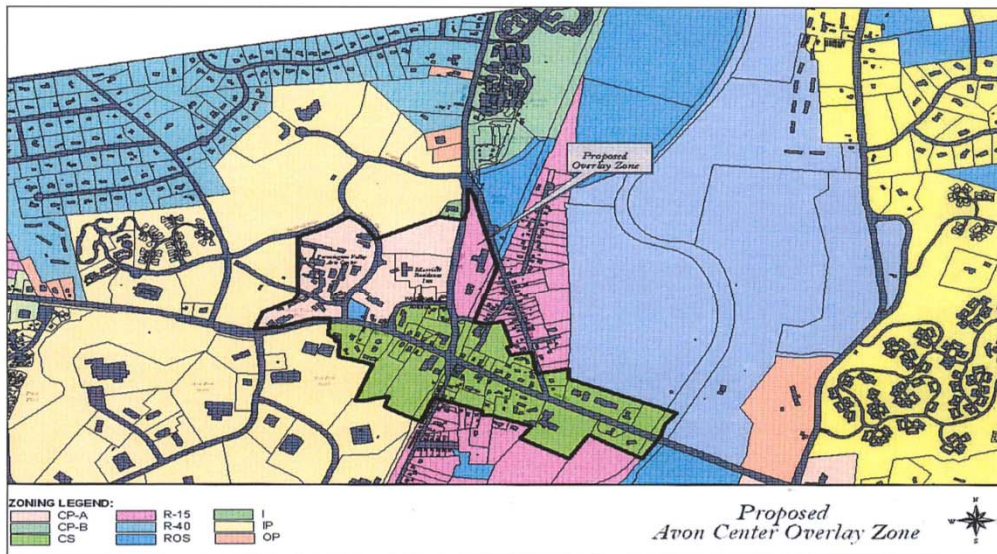


A New Village Center for Avon
October, 2015

The Avon Town Center Study:

- In 2004 the Planning and Zoning Commission (PZC) undertook the Avon Center Study as part of the required Plan of Conservation and Development (POCD) update. This study was given high importance by the PZC.
- The study area designated centered on the Route 10/ Route 44 intersection, approximately .4 miles N/S and .3 miles E/W.
- The land covered by this study area is largely privately owned but includes the Avon Town office buildings and the present Avon Town green.

Map # 4 Proposed Avon Center Overlay Zone



© 1994

Town of Avon
Avon Center Study

Major Issues addressed in the Avon Center Study:

- Create:
 - A Center **Identity**.
 - A much stronger **Sense of Place**
 - **More Pedestrian-friendly** spaces using landscaping/ street furniture/ proper lighting and street trees.
 - **Improved pedestrian and bicycle** access to and through the area.
 - Improved road **circulation** and connections with primary and secondary roads.
 - Additional needed **housing**.
 - And acknowledging the viability of existing residential neighborhoods.
 - And examining the future use of the Towpath School property.
- Today the Town Center is less identifiable as a traditional village center as a result of Route 44 widening and historic development patterns.

The New Town Center Vision:

- The 2004-2005 study identified several significant **issues** including:
 - Center is not fully integrated as a traditional New England Village.
 - Center has been “diluted” by other site development along Route 44. Concentration is needed.
 - Niche retail & services are needed. Land use mix not optimized.
 - Need adequate sidewalks and pedestrian connections to encourage walking.
 - Unifying elements missing: Lighting, sidewalks, benches, trees. (Signage)
 - No adequate pedestrian connections to nearby residential areas.
 - Traffic speed is too fast for a Town/Village Center.
 - Not enough traffic/people stop to shop or get services in existing Town Center.

General Town Center Study Recommendations:

- Improve vehicle and pedestrian Circulation
- Create an Avon Town Center **Overlay Zone** which should include:
 - Reduce setbacks, to zero in some cases.
 - Increase lot coverage.
 - Reduce parking demands.
 - Increase the public gathering areas, landscaped gardens, seating areas, public art or recreational spaces.
 - Mix of uses including housing.
 - Design Guidelines for building and landscaping.
 - Use of Special Permit process.

Specific Recommendations: (15/17addressed)

- Thematic lighting
- Sidewalks/Bicycle Routes
- Secondary Road System
- Landscaping infill along streets
- Farmington Valley Trail Greenway
- Crosswalks
- Seating
- Signage
- ZONING: Create an Avon Center Overlay Zone
- Parking (evaluation of supply/ shared/ and needs)
- Retain Institutional Uses to add/ encourage pedestrian use
- Add bus Stops
- Add housing
- Building Architecture
- Underground utilities

Towpath School Site

Resolve Enford Street Alignment issue

Architectural Recommendations of 2005 Study:

- Employ 2 and 3 story buildings
- Improve storefront transparency
- Require high architectural standards and materials.
- Avoid sterile, stereotypical or trademark architecture
- Break down building masses. Avoid large unarticulated masses.
- Include elements such as canopies, stairs, columns, projections, and human scale recesses.
- Signs to complement architecture
- Create public gathering places within larger developments.
- Optimize signage, conceal garage doors.
- Encourage front and rear entrances to buildings.

Historically:

- The 2004 -2005 Center Study was adopted as Appendix A to the 2006 POCD.
- Historically the property was zoned and used for heavy industrial purposes as part of the Climax Fuse Company and subsequently the Ensign-Bickford Company. Zones were **Industrial, Industrial Park** and **Commercial Park A**.
- Also historically Avon Town Center has been served by the intersection of State Highway Route 44 also known as Main Street and Route 10 also known as Simsbury Road.
- In the 1830's this area of the major intersection was known as East Avon and was a popular location for many commercial activities such as hotels, dry goods stores, taverns, warehouses, a cobbler shop, blacksmith shop, a distillery, several mills and mail distribution. The Church was also located there along with the Canal Office.

Avon Center Study Plan/ Implementation

- In 2012 the Avon Planning Commission upon application from Ensign Bickford Realty Corporation as owner/developer, adopted a new Master Plan for the 97 acres of property known as Avon Park North.
- This land is located in close proximity to the northwest corner of the Route 44/10 intersection, the historic center of Avon Village, and was privately owned by Ensign-Bickford Co. The property is approximately bounded by Fisher Drive on the north, Climax Road on the west, Simsbury Road on the east and Route 44 on the south.

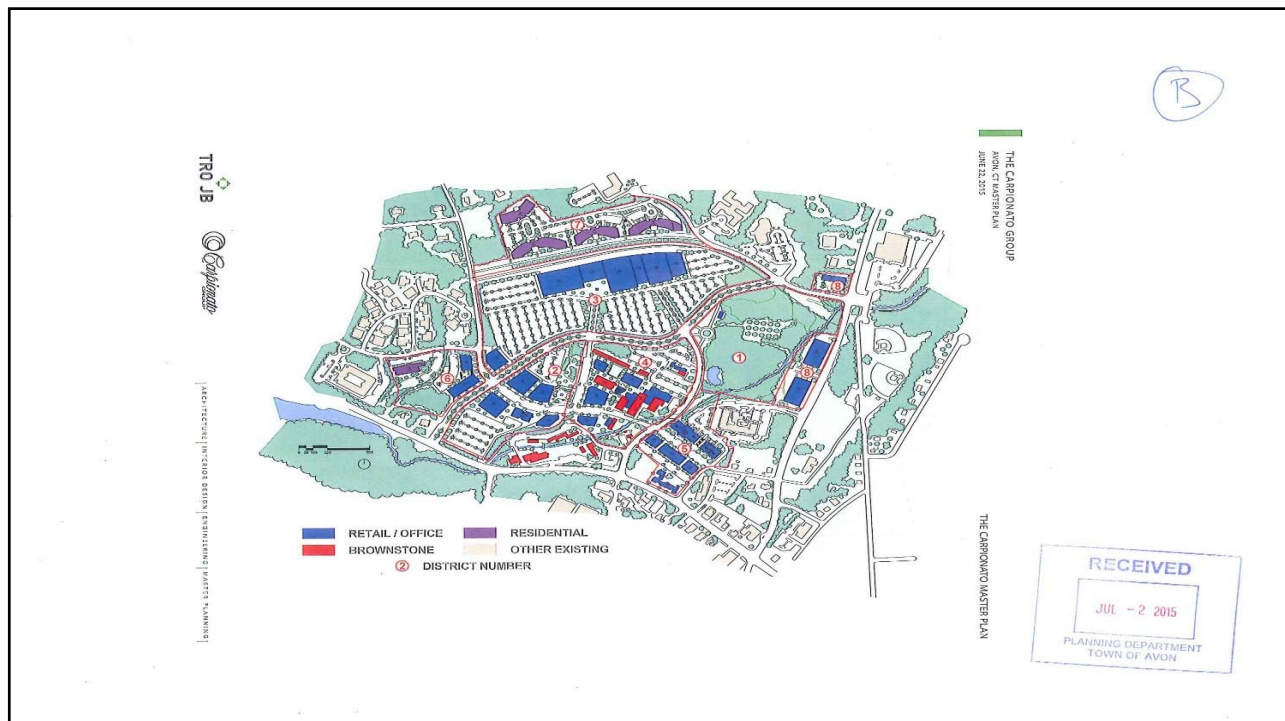


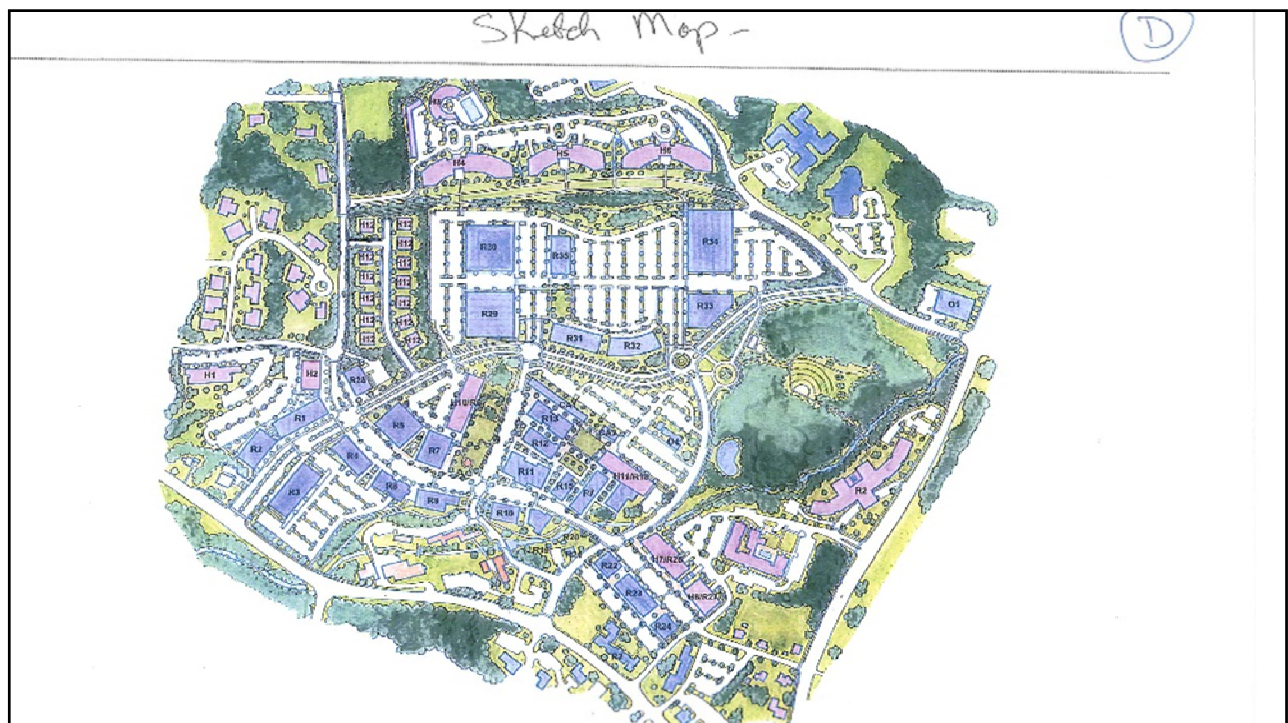
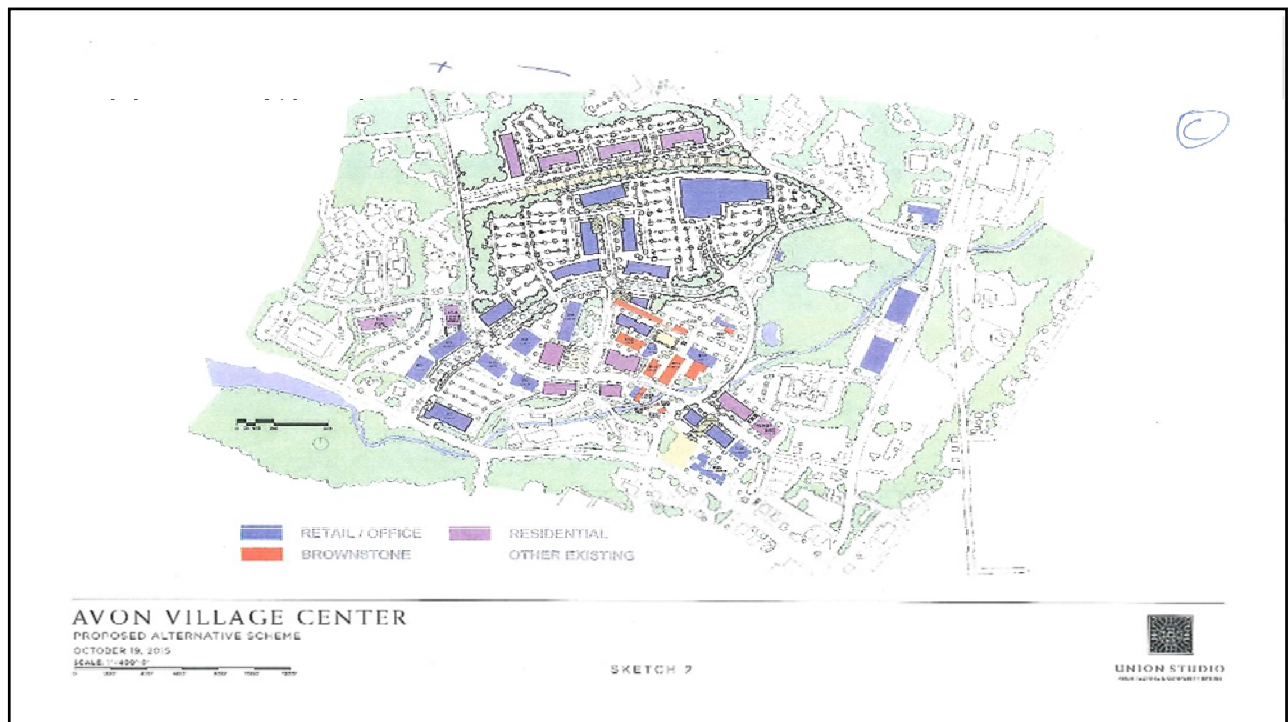
2012 Plan contents:

- 418 units of housing
- 264,830 square feet of commercial retail development
- 186,273 square feet of office development
- 23 acres of Open Space/Town Park
- Plus Greenway/bike trail/ Pedestrian walkways
- Farmington Valley Arts Center and most extg businesses to remain
- **1,155,363 square feet total development**

Carpionato Plan submissions and Commission responses:

1. Initial submission, July 2015
2. Revised submissions
3. Peer Review Architect Union Studio recommendations
4. Composite response plans
5. Commission decision, November 20, 2015





2015 Plan contents:

- 400 - 415 units of housing (**same**)
- 519,670 vs. 264,830 square feet of comm retail dev. (+**254,840**)
- 45,230 vs. 186,273 square feet of office dev. (-**141,043**)
- 23 acres of Open Space/Town Park (**same but w/new, upgraded facilities**)
- Plus Greenway/bike trail/ Pedestrian walkways (**enhanced facilities**)
- Farmington Valley Arts Center and most all extg businesses to remain (**same**)
- **1,232, 277 vs. 1,155,363 square feet total development (+76,914)**

Fiscal Impact Report:

Net Fiscal Impact resulting from Development			
	Residential	Commercial	Combined
Total Revenue	\$1,715,076	\$3,921,943	\$5,637,020
Service Costs	\$953,432	\$1,262,647	\$2,216,080
School Costs	\$434,139	\$0.	\$434,139
Net Annual Fiscal Impact	\$327,504	\$2,659,295	\$2,986,800

Source: Mullin Associates Inc. September, 2015

Quick \$ background:

Avon Grand List Components: \$2,708,176,170

1. Residential:78.3%*
2. Commercial/Industrial/Pub. Util:.....11.8%**
3. Motor Vehicle:.....6.3%
4. Personal:3.4%
5. Other:.....0.2%

Questions/ Issues/Concerns:

- Infrastructure: Roads, Sewer, Water, Electricity, Gas, Communications.
 - Public/Private partnership
- High Quality Architecture: All buildings design, construction, energy, sustainability, resilience.
 - Walkability and interconnectedness improved.
 - Possible transit connection
 - Arts included in approval consideration
 - Continuity of ownership going forward
- Impact on Community:
 - Business community: Additional critical mass, additional services, less reason to travel.
 - Residential Community: Additional local services, decreased amount of tax increases.
 - Greater level of economic development capture.

**A *New* Village Center for Avon
2016- 2020**



Questions, Please.