

**AVON TOWN COUNCIL
MEETING MINUTES
May 4, 2017**

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: Zacchio, Stokesbury, Pena, and Speich.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Zacchio.

III. PUBLIC HEARINGS: None

IV. MINUTES OF PRECEDING MEETING: March 28, 2017 Special Meeting

A correction to the March 28, 2017 Special Meeting minutes was made as follows:
On page 7, 1st paragraph, 5th line, change "overtime" to "over time."

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

RESOLVED: That the Town Council accept the minutes of the March 28, 2017 Special Meeting as amended.

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

V. COMMUNICATION FROM AUDIENCE

Adam Lazinsk, 88 Deepwood Drive, marked the unfortunate passing of Bill Roell who for so many years was such an influential person on so many young men through the scouting here in Town; he was Scoutmaster for eleven years and during that time the scouting program improved and got larger and even stayed on beyond his boys growing out of scouting and going off to college and beyond and even though he was not Scoutmaster he was still actively involved. In today's society we lose sight that civic minded people are getting fewer and fewer. Bill Roell and Peggy to this day remain active in their civic participation. Avon is going to be a little bit smaller without Bill Roell around.

VI. COMMUNICATION FROM COUNCIL

Mr. Speich commented that it was refreshing to hear people talk about how we can move the Town forward from an economic standpoint at the Town Meeting. He is all in favor of looking at ways to further our economic growth in this Town. He noted that the Town is filled out now, not much left from a housing standpoint, as we move forward we need to look at that.

Mr. Pena commented that there was very good discussion at the Town Meeting. He found it very positive in that we had new people in discussion that we had not had in the past, talking about many ideas and we have to see where we can go with that. He complimented the group.

Mrs. Maguire commented that the whole budget process from the CIP presentations in November, our budget workshop, and doing the tri-board brought to a different level, some critical things we had to face. The community really got involved, more so looking at social media people wanted to go to the meetings, want to get more involved, so hopefully that will continue. There is a little bit of a momentum now and hopefully people will follow through with that and get out and vote and understand and support the budget. She also noted that today was the National Day of Prayer and thanked Mr. Pena who has been very involved with this as well as Steve Wilson and Diane Hornaday; all denominations coming together, a lovely ceremony at the Library and is glad that our Town does this. She commented that the loss of Bill Roell is huge to our Town, he will be missed, and expressed condolences to the family.

Mr. Stokesbury reported that he and Mr. Speich attended the housing ceremony for Engine 7 a few weeks ago. Speaking of volunteerism, he recognized the Avon Volunteer Fire Department for their service and are proud of their new vehicle. He also attended the Eagle Court of Honor Ceremony last weekend for Ben Colman, Matt Tyler, and Christian Frost and he presented the resolutions on behalf of the Council. He noted that Bill Roell was clearly loved by the scouts, he was proud and will certainly be missed.

Chairman Zacchio commented that it was great to see different people involved at the Town Meeting and really hoping that people follow through and start to get involved. There are five of us, nine on the Board of Education, and seven on the Board of Finance, not a really big subsection of the community and those decisions, deliberations are often on our shoulders and it is the best we can do to get out in the public and listen and try to connect with people. Having folks at the meeting and engaging in conversation while the decision making is going on will certainly have better outcomes. He hopes people start to show up to these meetings and other meetings as well as the single meetings we have that we advertise. He noted that Bill Roell became a Boy Scout leader through his kids and just getting involved. He added that Bill Roell becomes the Scoutmaster in Avon that everyone will miss and had such a rich experience with and Bill was not even a boy scout himself; it doesn't take the background to get involved, it just takes the will. He hopes others from the Town Meeting and have the will to get involved.

VII. OLD BUSINESS

Chairman Zacchio commented that we had a mishap in terms of the filing and clerical work around the two public hearings we should have had on the agenda tonight; we did not get the public hearing notice in the paper in the right period of time so we cannot have them tonight and why they are not on the agenda. He asked for two actions to add two agenda items, 16/17-52

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

RESOLVED: That the Town Council add agenda items 16/17-52 Set Public Hearing Date: Sidewalk Easement from Avon Meadow Condominium Association, 20 Avon Meadow Lane and 16/17-53 Set Public Hearing Date: Sidewalk Easement from BM Services, LLC, Avon Meadow Lane (Parcel #1160110).

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

16/17-15 **FY 17/18 Budget Development**

The Town Manager reported that we had the Annual Town Meeting the other night; next stop is the Referendum. He noted still nothing from the State; the Appropriations Committee failed to come out with a budget a few weeks ago. He noted that last week he went to the Capitol to sit in on a portion of the Finance, Revenue, and Bonding Committee hearing on a couple of bills. Mr. Speich questioned what is going on with bonding. The Town Manager responded that the Bond Commission hasn't met since the start of the year. He noted that there was a specific bill that was up for a hearing last week and during the time he was there they never got to that bill. He added that part of that bill increases the sales tax and setting it up as some kind of fund that can go to municipalities and there is language about going from 70% assessed value up to 100% with the net effect of doing that would be your grand list goes up and your mill rate goes down. He noted that the most pessimistic forecast he has heard is that they are not going to complete the budget until September/October. Chairman Zacchio commented that the State now has a huge deficit for this spending year on top of huge concessions issue for next year's budget plus coming up with the \$407 million that is being rejected in terms of the teacher pension transfer. Mr. Stokesbury commented that a certain unnamed town in New Haven County is reporting, as they try to close out FY 16, a \$2.5 million operating deficit, accumulative operating deficit of \$16.8 million so we are doing a pretty good job and things could be a lot worse.

16/17-52 **Set Public Hearing Date: Sidewalk Easement from Avon Meadow Condominium Association, 20 Avon Meadow Lane**

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

RESOLVED: That the Town Council set a public hearing to be held at their June 1, 2017 meeting to consider the acceptance of a Sidewalk Easement for the area of the property between the highway line designated as "Simsbury Road (CT Route 10 and 202)" and the line designated as the "Project Limit" which runs along the westerly portion of property known as 20 Avon Meadow Lane as shown on a certain map or plan entitled "PROPOSED AVON STREETSCAPE IMPROVEMENT PROJECT", Scale: 1"= 40', July 17, 2015, Sheet 1, prepared by the Town of Avon Engineering Department.

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

16/17-53 **Set Public Hearing Date: Sidewalk Easement from BM Services, LLC, Avon Meadow Lane (Parcel #1160110)**

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

RESOLVED: That the Town Council set a public hearing to be held at their June 1, 2017 meeting to consider the acceptance of a Sidewalk Easement for the area of the property between the highway line designated as "Simsbury Road (CT Route 10 and 202)" and the line designated as the "Project Limit" which runs along the westerly portion of property known as parcel number 1160110 at Avon Meadow Lane as shown on a certain map or plan entitled "PROPOSED AVON STREETSCAPE IMPROVEMENT PROJECT", Scale: 1"= 40', July 17, 2015, Sheet 1, prepared by the Town of Avon Engineering Department.

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

16/17-47 Appointment: Board of Assessment Appeals (R – 12/31/2019)

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

RESOLVED: That the Town Council table agenda item 16/17-47 Appointment: Board of Assessment Appeals (R – 12/31/2019) to the June 1, 2017 meeting.

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

VIII. NEW BUSINESS

16/17-59 Avon Day 2017: Report by Nancy Anstey, Chair

Nancy Anstey, Chair, reported that we are very excited about what we have done since the first time we spoke and this evening. She highlighted that she also been in contact with the principals at Roaring Brook School and Pine Grove School who are very excited about doing the 4th grade short essay contest and other children's activities that we have. She noted that the only volunteers that we need to garner are ticket sales and may have one central ticket booth and possibly sell inflatable tickets right on the grounds. She added that there will be a pumpkin decorating contest, an emcee, sound, dance floor, and Tirebiter. Mrs. Maguire responded that this sounded great; her concern is parking. Ms. Anstey responded that we do have the Senior Center with transportation, MH Rhodes property, and Pine Grove School. Mrs. Maguire questioned if it will be all of Thompson Brook. Ms. Anstey responded that we are thinking of having handicapped parking at the front of the school and have to design it for an appropriate bus route. Mrs. Maguire commented that there is also parking by the rails to trails which would be a walk but asked if there will be a shuttle that will run. Ms. Anstey responded yes. She added that the last items to work on are food booths and food trucks. Chairman Zacchio commented that it is new, exciting, and different which is what you are aiming for. He questioned advertising tools for the event. Ms. Anstey responded the Town newsletter, Facebook, flyers, public relation articles, including a focus on the benefits to the Special Needs Fund. Chairman Zacchio commented that the Town Manager's Office can provide those details. Ms. Anstey clarified that the food trucks would not conflict with regular food booths. Mr. Speich commented that he was in Simsbury on Saturday, their first year for the flea market and there was a good assortment of food trucks. Mr. Pena commented that many people like the food trucks. Chairman Zacchio asked what is needed from Council at this point. Ms. Anstey responded that she would love to see all members at opening ceremonies on September 23rd at 11:30 a.m.; other than that if you have suggestions or ideas for contacts please share. Council thanked Ms. Anstey and the Committee.

16/17-60 Contract Recommendation: Stony Corners and Winding Lane South Project (AWPCA)

Chairman Zacchio commented that we went out to bid once in the past and found bids were over what we thought the budget should be and went out again and the bids have come back much better. The Town Manager reported that the project was rebid, we received nine bids with a very wide span from \$395,013 to \$808,793; staff and the AWPCA reviewed the bids and are recommending the low bid. Chairman Zacchio questioned when construction will take place. The Town Manager responded that we are waiting for a few other pieces to fall in place.

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

RESOLVED: That the Town Council award the contract to Simscroft-Echo Farms, Inc. of Simsbury, CT, in an amount not to exceed \$395,013.

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

16/17-61 Health Insurance Stop Loss Coverage

Chairman Zacchio reported that we have stop loss coverage insurance through Cigna over the last few years and there is an opportunity for health insurance stop loss coverage through CREC. He noted that the Town Manager and Superintendent Mala have had discussion with Steve May about this opportunity and their recommendation is that we do not move forward with it even though there is some savings in terms of the annual premium. The Town Manager commented that we have stop loss coverage for medical claims, per individual, per claim basis. He noted that we own claims up to \$150,000 through our self-insurance fund, have exposure for those, and beyond that their reinsurers get involved so that we are covered and historically we have gone with our carrier, Cigna. He added that over the last two years there is one other traditional insurer, Everest Re, and another option called CT Prime, a Captive insurance company housed out of CREC; it is a cooperative with 13 towns right now, pool all of their risk and ensure the risk corridor between whatever your stop loss coverage is set at (for us is \$150,000, other communities is \$175,000 and \$500,000) and have contracts with outside reinsurance companies for risk above and beyond. He added that the savings would be a little bit greater if we moved to that arrangement but there are so many unanswered questions about that arrangement and would like to see it mature a little bit more as this is only the first full year that it has been operating. He noted that our carrier has really worked with us and came down dramatically from where we started with the renewal negotiations. We went through a tremendous amount of due diligence working with our insurance consultant, Steve May, and an attorney at Murtha Cullina who has a lot of experience in this area. He recommends that we take a step back, take a pass this year, and continue on with Cigna. He told the CREC Captive folks that this is not a hard no; we want to take a look at it next year as well; good to know it is there any may be a reasonable option for us at some point. Chairman Zacchio questioned who sits on the CREC Captive Board. The Town Manager responded that they have their own bylaws and most of the members are Town Managers. Chairman Zacchio questioned if we would as a participant be on the Board. The Town Manager responded not right away; all seats are taken and based on seniority; no management role. Mr. Stokesbury commented that the concept being described brings to mind the MDC model and risks we have heard with one member town not paying its fees and the rest having to be brought up by other member towns. He added that as we look anywhere outside the traditional insurance product he would be very cautious to assume any kind of risk of non-payment by fellow members and any type of quasi-public or captive group; it is a risk that we cannot quantify, we don't know where things are going to. The Town Manager responded that we went to about 70% in terms of looking at this; you really need to go all the way to the bottom; understand what happens if a very large player in this pool that has a terrible year or decides to leave or doesn't pay. Council agreed. Chairman Zacchio commented that any time we have an opportunity to look at it we should and consider it.

16/17-62 Supplemental Appropriation: Avon Board of Education, \$207,228

Chairman Zacchio reported that this is due to excess Choice revenue based on the number of

students being over and above the forecast. Mr. Stokesbury clarified that more students increased the percentage paid.

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

RESOLVED: That the Town Council hereby recommends that the Board of Finance amend the FY 16/17 Budget by increasing the following:

REVENUES

General Fund, Intergovernmental, Education Programs Grant, Acct #01-0330-43343, in the amount of \$207,228 and increasing

APPROPRIATIONS

General Fund, Board of Education, BOE Expenses, Acct #01-9401-55000 in the amount of \$207,228, for the purpose of providing supplies, equipment, and personal services for the District.

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

16/17-63 Set Public Hearing Date: Neighborhood Assistance Act

Chairman Zacchio commented that we are a conduit for these applications to go to the State of Connecticut; a governing body has to hold a public hearing for folks to be able to apply for a grant and we do that every year and have a number of organizations come before us and submit their grant applications.

On a motion made by Mr. Pena, seconded by Mrs. Maguire, 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 1, 2017 meeting.

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

16/17-64 Resignation: Board of Education (D – 12/31/2019)

Chairman Zacchio noted that Wendy Howard is moving out of the state, has been a member of the Board of Education, and both she and her husband, Steve, involved in Town for a number of years. He gave Wendy credit for Council now doing the pledge of allegiance at the beginning of our meetings.

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 Wendy Howard from the Board of Education.

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

16/17-65 Appointment: Board of Education (D – 12/31/2017)

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

RESOLVED: That the Town Council appoint Jason Indomenico to the Board of Education to fill a vacancy with a term to expire on December 31, 2017.

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

Mr. Pena introduced Mr. Indomenico who was in the audience. Mr. Indomenico commented that he is looking forward to getting involved with the Town. The Clerk noted that Mr. Indomenico's term is through December 31, 2017, even though Wendy Howard's term was through December 31, 2019. In this case, Mr. Indomenico would run to fill the vacancy in November.

IX. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager reported that the Paperchase Trail and Hurdle Fence sewer project is under review; the AWPCA was ready to go ahead but started hearing from a number of residents that had concerns so they are in the process of re-evaluating that project and there is a public information meeting on May 11th. He noted that we are working through a number of bids and RFPs. He noted that the RFP for Fraud Risk Assessment was a recommendation in our auditor's letter to management last year. He noted that he appointed a user committee to work on the phone system upgrade; over FY 16/17 we appropriated some capital funding to get this done; Grace Tiezzi and Glenn Grube have been instrumental in working on this; a recommendation has been received with a solution that is on the State bid list and should be able to implement this in short order. He noted with the Microgrid Feasibility Study we have a draft RFP that Paul Michaud with Murtha Cullina has provided to us, are reviewing it with the Engineering and Planning Departments to make sure it covers the bases to make sure we get good responses back and have it out by the end of May. He noted with the Public Safety RFP Chief Rinaldo is taking the lead on with the Committee and LR Kimball as our consultant and hope to get that out late spring/early summer and have a vendor selected for the fall. He recommended exercising the contract extensions for employee assistance program, police uniform cleaning, etc. Mr. Stokesbury questioned what the Alpha Support Service is. The Town Manager responded that it is a computer system. Mr. Pena commented on the Wi-Fi at Sycamore and it being non-secure and if there is any risk to the Town. The Town Manager responded that we worked with our outside IT consultant to set it up; he will take another look at it. The Assistant Town Manager noted that it is going to be separate from the system they use at the pool to power the one computer for the time system so it should not be an issue. Mr. Speich questioned that for the HVAC system bid do we normally go with the Town of Canton and is it for cost savings. The Town Manager responded that it is the only one we do with Canton and yes we do get a cost savings. Mr. Speich commented that we talked about that at the Town Meeting. Chairman Zacchio commented that we have had a good history of sharing services and purchasing agreements with Canton. The Town Manager noted that anywhere it makes sense we will do it.

Misc. B: Construction Update: The Town Manager reported that the STEAP IV project is wrapping up, we are making good progress with the Police Department improvements and Company #4 improvements. He noted that with regards to the Fisher Meadows expansion project last week it came to our attention that we may be subject to a permit through DEEP that we did not know we would be subject to, a permit for construction, it falls under the general permit due to its size and number of acres being disturbed; we are having discussion with DEEP and 99% certain the permit will apply and probably have a 30-60 day delay on the project which means instead of breaking ground in the spring we might be looking at July/August; an unfortunate surprise but we are working through it; we are having regular staff meetings on this project and everything else seems to be on a good track. He noted the tentative road improvement schedule.

Misc. C: Trail Improvement Projects: The Town Manager reported that a staff group has been put together to talk about fixing the bridge at Huckleberry Hill, clean up the overgrown trail by the Farmington River, and have a lot of split rail fencing that has come down and needs to be fixed. Mr. Stokesbury questioned if the split rail fence is a Town obligation. The Town Manager responded yes, in the past we have been able to work with the Trails Association and will talk to them about any money contributions. Mr. Stokesbury questioned where we are with clearing sight lines along the Rails to Trails. The Town Manager responded that we have not done anything so far this season. Mr. Stokesbury would like to make sure that it is on the agenda for safety issues. The Town Manager noted that up until now it has been getting the playing fields ready. Mr. Lazinsk commented regarding trail improvement and maintenance he runs along the river at Fisher Meadows and going back to September 2011 when we had the last major flood wood was dislodged and then had the snowstorm in October 2011 and there is a lot of work that could be done along the river and he and a lot of other people would like to see it. Mr. Stokesbury commented that the point is well taken.

Misc. D: Fire Facilities Assessment Committee Update: The Town Manager reported that the Assistant to the Town Manager has been working with Jamie DiPace and Tom Kline to get some data together and we hope to get a meeting scheduled May/June and keep working towards the charge that was set by Council.

Misc. E: WiFi at Sycamore Hills: This item was already discussed under Misc. A.

Misc. F: Ordinances: The Town Manager reported that Chief Rinaldo has recommended revisions to a few ordinances; he is working with the Town Attorney to get them into form and expect him in at the next Council meeting to go over his recommendations and talk with you about them. Chairman Zacchio asked for the next Council meeting a review of the controls we have around blight within Town. He noted that we traditionally have not had an ordinance but several times in the last few years it is a home or number of homes that have come to our attention through people calling us directly or asking questions to the Town Manager around what can be done around homes in terms of their property, i.e. furniture, mattresses, appliances. He asked do we have or should we have controls that can address that in a meaningful way? He would like to have some discussion around that. He noted that we have it in terms of large equipment or storage of commercial equipment. We should be able to help neighbors in a way that helps all the residents in that area. The Town Manager responded that he will talk to Hiram Peck and come back with recommendations. Mr. Pena noted seeing what surrounding Towns may have found helpful to them through their experience.

X. EXECUTIVE SESSION: Pending Claim/Litigation
Real Estate

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

RESOLVED: That the Town Council go into Executive Session at 8:21 p.m.
Mrs. Maguire, Messrs: Pena, Zacchio, Stokesbury, and Speich voted in favor.

The Town Manager, Assistant to the Town Manager, Town Clerk, Attorney Karsten, and Town Assessor Harry DerAsadourian attended the session.

XII. ADJOURN

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

RESOLVED: That the Town Council adjourn the meeting at 9:35 p.m.
Mrs. Maguire, Messrs: Stokesbury, Zacchio, Pena, and Speich voted in favor.

Attest:

Ann L. Dearstyne, Town Clerk