

**AVON TOWN COUNCIL
MEETING MINUTES
September 7, 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. SERVICE RECOGNITION: Life Saving Award

Chairman Zacchio reported that this award is something that the Town seldom hands out; in the last year we have had one other similar to it for Dylan Bernetich, a member of the Avon Volunteer Fire Department (AVFD), had the opportunity to save somebody's life in the Farmington River and another Fire Department member years ago was recognized in the same manner. He noted that tonight's award is for a civilian, non-Fire Department member, a nurse who found herself in a situation to save somebody's life and took actions to do so. Jamie DiPace, Town Council Representative for the AVFD, reported that this stems from an incident at River Ridge and he submitted a letter to the AVFD (a copy of which is included and made part of these minutes). Fire Chief Michael Trick and President Rob Shillington, thanked Jean Nadeau on behalf of the AVFD for her act of heroism in saving a life and recognized her with a citation of merit. The certificate read, "The certificate is awarded to Jean Nadeau in recognition of a heroic act performed on May 22, 2017. AVFD, signed Chief Michael F. Trick and President Robert Shillington"

IV. PUBLIC HEARING:

**17/18-02 Amendment of Chapter 43 of the Town Code of Ordinances entitled
Peddlers, Solicitors and Closeout Sales**

The Public Hearing was called to order at 7:30 p.m. by Chairman Zacchio. Chairman Zacchio waived the reading of the following legal notice:

"TOWN OF AVON
LEGAL NOTICE
NOTICE OF PUBLIC HEARING

Notice is hereby given that the Town Council of the Town of Avon, Connecticut will hold a Public Hearing on Thursday, September 7, 2017 at 7:30 p.m. at the Avon Town Hall, Selectman's Chamber, 60 West Main Street, Avon, CT to consider the following:

To consider and permit all interested persons to speak on the plan of the Town Council to amend and restate Town Ordinance Chapter 43 – Peddlers, Solicitors and Closeout Sales. The recommended changes will be to 43-5 (c) and 43-4 (c).

A copy of the proposed amendments is on file on the Avon Town Clerk's Office and open to the public for inspection during normal business hours.

Dated at Avon, Connecticut this 2nd day of August, 2017.

Brandon L. Robertson, Town Manager”

Chairman Zacchio reported that we have an opportunity to change a section of our rules around Solicitors; the Chief of Police and staff presented this to us at our last Council meeting. He added that by Charter and amendment to this Code of Ordinance needs a public hearing and public comment before Council considers moving it forward. He noted there are two changes being proposed: one is the time Peddlers may solicit in Town, currently 8:00 a.m. to 9:00 p.m., new rule would be 9:00 a.m. to 6:00 p.m. or one-half hour before sunset except by appointment and the second changes the language that says “licenses shall be issued to a qualifying applicant no later than four weeks after application is made” to “licenses shall be issued to a qualifying applicant once their fingerprint results are received from the State Police Bureau of Investigation.”

Jim Hepburn, 58 Winding Lane, questioned if this ordinance includes people who are going around for religious purposes or just commercial purposes. Mark Rinaldo, Chief of Police, responded that religious visits are not included in this ordinance. Mr. Hepburn questioned if there is a similar ordinance that covers religious visits. Chief Rinaldo responded yes; they are not regulated and we have to allow them.

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

RESOLVED: That the Town Council close the public hearing.

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

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

RESOLVED: That the Town Council approve to amend and restate Town Ordinance Chapter 43 – Peddlers, Solicitors and Closeout Sale with changes as discussed to 43-5 (c) and 43-4 (c).

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

V. MINUTES OF PRECEDING MEETING: July 27, 2017

A correction to the July 27, 2017 Meeting minutes was made as follows:

On page 2, under “Communication from Council,” 1st sentence, insert “good” after “looks.”

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

RESOLVED: That the Town Council accept the minutes of the July 27, 2017 Meeting as amended.

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

VI. COMMUNICATION FROM AUDIENCE - None

VII. COMMUNICATION FROM COUNCIL

Mr. Speich thanked the Avon Volunteer Fire Department for inviting us their Clambake; it was a good event for their members and provides them with a good celebration for all of the work that they do.

Mr. Pena commented on the Recreation and Parks Program brochure that was received in the mail this week; it is very nice and complimented on those that put it together. He questioned what the return is on this. The Town Manager responded that last year was the first year we had a whole cycle with the town wide mailer and will provide a snapshot; we are picking up more folks that are interested in the programs as a result of the mailer.

Mrs. Maguire commented that the school year got off to a good start; freshman orientation was a big success; sports are kicking in, soccer fields look great, today is the start of flag football at the Middle School and the field was packed.

Mr. Stokesbury reaffirmed Mr. Speich's comments about the AVFD Clambake; he thanked the AVFD for the invitation and for their service throughout the year; Casey McDermott was the Chair of the Committee and did a great job organizing it. He reported that in August he and Mr. Pena attended a matter for the Historical Society where they unveiled a series of banners to depict the history of Avon through the years and designed to be mobile and loaned our events and lobbies; they were extremely well done and a great project. He noted that paving is looking good around Town, particularly Huckleberry Hill. He also noted that this week's story is in San Francisco there was a tax foreclosure on a private road that served a private community and landlord that controlled their destiny about access to their own homes and is a cautionary tale about paying your taxes.

Chairman Zacchio questioned if we expect to do anymore awareness campaigns in the fall around seat belts and texting while driving. Chief Rinaldo responded that he believes Lt. Walsh is planning something for early November. Chairman Zacchio noted that we have encouraged it in the past and has been a pretty successful program and you have a done a great job administering it. He commented on the state of the State and where we are with the budget; our budget certainly is not complete yet and while we wait to see what happens to any grant funding that might be built into the revenue stream we should be cautious as we move forward in this fiscal year. He noted that towns are in positions to set their budgets in July and the State somewhat after that normally, but this year is particularly difficult because the State does not have a budget yet; the longer the fiscal year goes on it is a lot harder to recover from an operating perspective; the Town Manager has been working with the former Superintendent of Schools and Interim Superintendent of Schools on how we plan for that if we do get a damaging hit to our bottom line.

VIII. OLD BUSINESS

14/15-20 Old Farms Road and Old Farms Road Bridge and Intersection **(State Projects # 04-129, 04-116 & 118)**

Larry Baril, Town Engineer, reported that there will be a Public Informational Session by the Department of Transportation on September 21st; it will be the third session on the project. He noted that this project has been around for about twenty-three years; a keystone milestone is that we were able to convince the State to take over complete ownership of Design, Permitting, and Construction. He noted the project status is 90% design on the bridge, 90% design on the intersection and the Old Farms Road improvements; they are working on permits, but first create a package that goes to their Office of Environmental Planning (a liaison to the permitting

agencies - Army Corp of Engineers, DEEP, FEMA); the goal is to get the permits done in less than a year. He added that they come upon things that force them to look at the details of post-design and bidding and construction issues which would improve their bid specs and have a package that is more thoroughly thought out. He commented that if there are comments/questions regarding the project or presentation to be made on September 21st, they will address those at that meeting. He added that they have until May 2018 to complete design and also has to do with permit application; they have talked to us about bidding in the summer of 2018, contracting in the early fall 2018 and starting the project in late fall 2018, but more likely spring 2019; a big deal is staging material and equipment, they cannot store anything in a flood zone. Chairman Zacchio commented that there is a section near Sub Edge Farm that is not in the flood zone we had looked at as a potential playing field site. The Town Manager reported that there is a lot of behind the scenes; project approval letter was received in 2012 and is the start. He noted that the Town Engineer has done a terrific job keeping this on target; there have been a lot of other technical issues we have had to resolve and we want to surface those issues very early in the process as they could be deal breakers during permitting. He added that we have a good cadence now with Department of Transportation (DOT), we are meeting with the Bureau Manager and staff involved with the project either in person or on a conference call on a monthly basis; this project is a priority for them and making sure design is completed. He commented that for the Public Informational Session we want to make a point of indicating that the Town has had a lot of input with design features that we wanted, including the boat launch and also working with DOT to make sure we have profiles available either from the river or from Old Farms Road and Tillotson.

Chairman Zacchio commented that the new bridge will be located somewhat north of where the existing bridge and while it is safe, it is also functionally obsolete. He added that the new bridge will start at the level on Waterville Road so approach will be longer but much less steep; dedicated turn lanes, improved drainage and line of site; the boat launch will return with a public park that egresses into that area. He noted that the presentation on September 21st should focus on timeline.

17/18-12 Appointment: Avon Clean Energy Commission (D – 12/31/2017)

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

RESOLVED: That the Town Council appoint Christine Winter to the Avon Clean Energy Commission as a regular member to fill a vacancy with a term to expire on December 31, 2017. Mrs. Maguire, Messrs: Zacchio, Pena, Stokesbury, and Speich voted in favor.

IX. NEW BUSINESS

17/18-13 Review, Discuss, and Possibly Set a Public Hearing on Proposed Amendments to Chapter 53 of the Town Code of Ordinances entitled Streets and Sidewalks **a. Article IV “Removal of Ice and Snow in the Public Way”** **b. Article VII “Fire Hydrants” (NEW)**

Chairman Zacchio reported that Article IV is specifically about moving snow from a private driveway and into/across public roadway which has been an issue and Article VII is about the maintenance of fire hydrants both in and off the winter season when they are abutting a private

landowner. The Town Manager welcomed Chief Rinaldo to speak to Article IV as it was a recommendation from the Avon Police Department and Jamie DiPace will speak to the issue of fire hydrants. Chief Rinaldo commented that a problem we see is contractors clearing driveways pushing the snow onto the adjacent property owners or into a guardrail which is sometimes damaged and creates a significant problem; with more snow it creates a sight line issue and impacts Public Works as they have to keep clearing it or fixing guardrails; it is an expense to the Town and a hazard to the residents. He noted that the first fine is a written warning and next time is up to \$250; this ordinance should help us prevent these incidents from happening. Chairman Zacchio commented that most of us have probably experienced this; it is a safety hazard. Mr. Stokesbury questioned how this gets enforced; you won't see if happen. Chief Rinaldo responded that we do get a lot of complaints and as officers drive around Town and see it happening that is their first warning. Mr. Stokesbury noted that he has had one contractor for the past thirty years in Town and is steadfast observant about not plowing into the street; there are people who abide by the rules. Mrs. Maguire commented the word needs to get out to the contractors; put something in the Town newsletter. Chief Rinaldo responded that the homeowner is responsible for preventing this from happening; the fine goes to the homeowner or contractor depending on which one is contacted first.

The Town Manager reported that the fire hydrant clearing issue is something he has been hearing about the last few years. He added that we have been trying to deal with this through public education in the Town newsletter and on the web site asking residents in their own best interest to keep hydrants shoveled out but compliance has been spotty; every year this comes up and we find buried hydrants, we look at how other communities deal with this and some have an ordinance that treats clearing fire hydrants similar to the ordinance we already have in place for sidewalks and clearing it of snow and ice; the same would apply to fire hydrants. He noted that the Town and Board of Education are responsible for a number of hydrants. Mr. DiPace reported that the Town has roughly 800 public hydrants and does not include private ones in shopping complexes or factories. Chairman Zacchio questioned how many of the 800 the Town and Board of Education are responsible for. Mr. DiPace responded that he did not have that number. He added that 3/4 of the Town is covered by public water with hydrants, spaced approximately 750 feet, most at intersections and a lot of them along the streetway and belong to residential streets. He noted that when the Fire Department needs to find a water supply, it is hard to find hydrants in the winter.

Mr. Stokesbury asked if Mr. DiPace, as a responder, knows where the hydrants are. Mr. DiPace responded that he has a good idea in his mind what streets have hydrants or not; they are on a GIS program and in fire stations but not available in a fire truck when responding to a fire call. He noted that you still have to dig it out in the middle of winter. Chairman Zacchio commented that the Town Manager talked to Public Works about the impact to the Town; hydrants may be in or near the Town right-of-way; we need to decide who clears them and lead by example and clearing them ourselves. He noted that we need to know how many we are talking about from a Town perspective and how we are going to do it because the same will apply to residents who find themselves on vacation and their fire hydrant is encased in ice and we knock on their door about clearing. He has questions operationally; it is a good idea to give the Fire Department as clear access as possible. The Town Manager responded that he will have to get more information the Director of Public Works. He noted that as we were going through this, Bruce Williams and Myles Altimus did their census, we have all of the hydrants that we can activate as

an isolated layer, and if we are going forward with this ordinance the Town has to abide by it as well; we will have the largest number of hydrants. Chairman Zacchio commented that if we are going to make a commitment to keep the hydrants clear for the Fire Department's sake alone, we need to know operationally that we can keep them clear and see a plan around that. He added that he is in favor of it, important to do it, but does not understand the operational piece enough. Council agreed. The Assistant to the Town Manager commented that there are a few dozen on Town property, not including right-of-ways. Mr. Stokesbury commented that anything in the right-of-way is to the abutter. Mr. DiPace noted that all hydrants are in the Town right-of-way. Chairman Zacchio gave an example of a hydrant at the corner of Country Club and Hurdle Fence, heavy traffic on Country Club Road, and we are going to ask residents to go out and shovel that in a snow storm. Mr. Stokesbury commented that they can be buried.

Chairman Zacchio clarified that he is fully supportive about finding a way to clear them but how do we ask residents to clear that hydrant in the middle or post snow storm when plows are out trying to clear intersections. Mr. Speich commented that Public Works plows in most of the hydrants and whether they have to or not is questionable because they can push to the left or right to some extent; we are asking for a 2-foot by 4-foot opening area and that is a lot of snow and especially when plowed in; it is not easy and above average normal expectation of a resident. Mr. DiPace commented that it can be done every storm just like shoveling your mailbox; it is not just snow, it is also shrubbery. Chairman Zacchio responded shrubbery is easy. Mr. DiPace commented that people are shoveling sidewalks, their mailbox, and why not a fire hydrant. Mr. Speich responded that is a big area; he is a firefighter and understands it and you cannot carry a shovel on a fire truck and dig them out in the middle of the night. Mr. Speich noted that he is in favor of clearing them. The Town Manager commented that if Council is comfortable with the first part we can set the public hearing for October and he can drill into this from the operational side, make necessary adjustments based on feedback and come back and revisit the hydrants for a discussion item in October. He added another option is not to set a public hearing for October on the first part and deal with all of it together and set the public hearing for November and go into effect by December. Mr. Pena questioned how other towns are handling the hydrant clearing. The Town Manager responded that this was crafted based on what other communities are doing, i.e. Simsbury, Enfield, and West Hartford. Chairman Zacchio commented that a grid based community like West Hartford is a very different scenario for a resident to clear a corner fire hydrant. Mr. DiPace commented that the West Hartford Fire Department clears the hydrants. Chairman Zacchio responded that clearly we have a public safety issue that is important but does not want to create another one with residents walking onto a corner with traffic trying to clear the hydrant. Mr. Speich questioned if we should consider what it would cost for the Town to clear every hydrant or pay the Fire Department to do it with manpower they may have.

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

RESOLVED: That the Town Council table agenda item 17/18-13 Review, Discuss, and Possibly Set a Public Hearing on Proposed Amendments to Chapter 53 of the Town Code of Ordinances entitled Streets and Sidewalks-Article IV "Removal of Ice and Snow in the Public Way" and Article VII "Fire Hydrants" to the October 5, 2017 meeting.

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

**17/18-14 Review, Discussion and Possible Action: Public Act No. 17-155, An Act
Concerning Temporary Health Care Facilities**

Chairman Zacchio reported that our Planning and Zoning Commission has already chosen to opt out of this, one of which is that the Statute states is to give the Town an opportunity to craft their own more responsive to local zoning rules for these kinds of facilities and are recommending that Council do as well. Hiram Peck, Director of Planning and Community Development, reported the State Statute did provide an opportunity for communities to opt out; the legislature felt there was a need to provide for temporary health care facilities for folks that were elderly or mentally or physically impaired in a separate structure from the house on the lot that they are on. He noted that is one issue he had in that if you have a person part of your family unit it may not be the best location for them to be in a separate structure but rather a small addition off your house or another portion of your existing house. He added that the way this was created was to allow for the placement of accessory structures on the lots with residences. He added that another issue is that if someone came in for an application for one of these structures we had to issue the permit within fifteen days which doesn't help the process along very well. He noted that the Planning and Zoning Commission thought we could do better in order to maintain the character of existing neighborhoods where these things might be put and allowing more flexibility in the regulation which we are drafting now and hope to have ready in early November for the Commission and modifying our existing accessory apartment regulations and do a better job that is more in context with the character of the neighborhoods where these would be allowed. He added that it talks about these structures being allowed in zones that allow residences; in Avon we have business or industrial zones where residences are allowed; when legislators were asked whether the legislation contemplated placing these structures in business or industrial zones they did not have an answer. He added that there are potential gaps in the legislation as currently drafted and we can do better on with regard to our own drafting and that is our recommendation; the Planning and Zoning Commission did hold a hearing and no one spoke in opposition to opting out or leaving the Town in and the decision by the Commission was unanimous.

Mr. Stokesbury shared that a Statute reference provides that the caregiver living on the property must be a relative, legal guardian, health care agent, be responsible for the unpaid care of the individual; there is a permissive technique in the estate planning where persons are permitted to spend down their assets and pay people providing for their care and without knowing more about this Statute may be an unintended impediment to an otherwise permissive situation where a family member is providing care, is being paid to do so and should not be a limitation and something we carefully consider before including it in any of our regulations. Mr. Peck agreed and we need to be careful about treading on anything that is not germane to the physical development to the site; whether you live in an apartment or condominium or spend down resources had or not is not the Commission's business. Chairman Zacchio commented that he is a proponent of keeping local controls; we have enough State mandates that don't work or are unfunded so any opportunity we have to retain local control over what a State statute might give us he is in favor of opting out and we can and have done a better job than most in Town.

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

RESOLVED: That the Town Council approve to opt out of the requirements of Public Act No. 17-155, An Act Concerning Temporary Health Care Facilities, effective October 2, 2017. Mrs. Maguire, Messrs: Zacchio, Pena, Speich, and Stokesbury voted in favor.

17/18-15 Contract Recommendation: School Street Low Pressure Sewer Project (AWPCA)

Chairman Zacchio reported that we have had presentations in the past about the low pressure sewer system and upgrades to School Street.

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

RESOLVED: That the Town Council award the contract to Paganelli Construction Corp., of Windsor Locks, CT, in an amount not to exceed \$194,206.50 for the School Street Low Pressure Sewer Project.

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

17/18-16 Contract Recommendation: Winding Lane/Stony Corners North Sewer Project (AWPCA)

Chairman Zacchio reported that this item for the second phase in this area. He noted that there was a bid at one time for the entire project, there was a decision to split it into north and south; south is almost done, in testing phase right now and cost approximately \$395,000; the north section being more complex and slightly larger in scope is coming in approximately 36% higher than that; there was some e-mail traffic from folks concerned about that cost and some not as concerned and wanting to see the project move forward as scheduled. He added that we learned that the AWPCA when going through the process to approve the project had the majority of folks on Winding Lane in favor of the project for various reasons; it is a high water table area and area starting to see a fairly high failure rate of septic systems; they also set a parameter of costs that is assessed back to the homeowner to be somewhere between \$18,200 and put a cap on that, not normal for the AWPCA do that, because of the differences in cost at 5% above the \$18,200, so \$19,110 as a capped cost. He noted that the AWPCA is looking at this as one complete project (north/south) from a cost perspective even though they were bid out separately, the cost is combined across that entire project for all those within the project zone and assessments are equal in cost and is appropriate. He added that there were concerns among some residents that the north section was bearing a higher cost than the south section which is true and according to the Town Engineer is due to some complexities in both the earth and design in terms of manholes and laterals. He will give audience members an opportunity to speak on this matter, provide your name and address for the record, and limit your comments to a few minutes. He noted that Larry Baril, Town Engineer, and the AWPCA Chairman are present to answer any questions regarding the process.

Jesse Stieber, 30 Winding Lane, questioned if we would expect to see our property assessments increase based on the installation. Mr. Baril responded that the question refers to does the Town Assessor change your assessment based on the access to public sewers. He recently reaffirmed the answer with the Town Assessor and even though I have a strong opinion about the value of public sewers, his opinion is that if you have a site that is already serviced by the ability to handle your waste (i.e. septic system), the difference between a septic system and public sewer is nothing from an assessment perspective so it does not change your assessment. Harry DerAsadourian, Town Assessor, also present at the meeting agreed with Mr. Baril's response.

Jim Hepburn, 58 Winding Lane, commented that his neighbor bought a house at 64 Winding Lane eight years ago, paid \$360,000, sold it in August for \$345,000, approximately \$15,000 less; he suspects he was trying to get away from the sewer assessment and whether that is going to affect other people if they decide to sell their house and have to settle for a lower price as well. He noted that he is opposed to the project.

Tom Diecidue, 146 Winding Lane, commented that he urges this Committee to approve this project; he sent a very lengthy e-mail; he has been involved with the initial petition from the very beginning. He noted with regard to the statement just made, there was a neighbor next door to him and their house was contingent on getting the sewer system replaced; nothing wrong with the system but the report came back from the inspector that said the sewer system is 35 years old, we don't know how long it is going to last so in order for him to sell the house he needed to replace the septic system. He added that septic systems vary in terms of price; the neighbor hit ledge and it cost him over \$50,000 to get it done. He noted that his septic system is about to fail, he has sent letters to the Committee regarding the folks that are on the north side, who at least the folks that he put on cc: there is a resident whose septic system is about to fail. He noted that in terms of property assessments if he has to replace his septic system he has to go into his woods, cut down trees, and it is not going to cost him \$10,000 or \$20,000 but \$40,000 or \$50,000. He added that we have been working on this project for several years now; the Town Engineer and Assistant Town Engineer and everyone else involved have done an outstanding job in terms of trying to keep the costs down, we are halfway through the project, it has been approved by the AWPCA, we have had multiple Town meetings, everybody has heard the prices, and you have overwhelming majority across both neighborhoods to get this thing done; if we wait any longer then we wait until next year and not only are you impacting north side but also impact the potential cost to the south side because we have to wait for the entire assessment to be completed; we know what the costs are, the majority of the neighbors on the petition provided are in full favor of this thing so let's get it done; we have three months to go, the roads are torn up, let's just get it done.

Jesse Stieber, 30 Winding Lane, asked the Town Engineer, based on the petition, how many of those people would be effected if the north project was not completed. Mr. Baril responded that the north project has twenty-seven lateral connections to it. Mr. Stieber questioned how many of those twenty-seven have corresponding names on the petition. Mr. Baril responded that he did not have the answer to that. He noted that the original petition that Tom started; a couple of years ago Tom came in and said his neighborhood was in dire need of a sewer system and what does he need to try and get them bumped up on the list; at that time he looked at the Sewer Facilities Plan identified a logical route to provide sewers to that part of his neighborhood and homes likely within that region. He added that Tom went out and reached out to those homes on the map. Mr. Diecidue responded that he went to every single home on that map and got 87% approval; the ones that we are talking about that had some descent were not including in that original plan. Mr. Baril commented that we get into design mode and look at topography in detail and by putting the sewer a little deeper in Stony Corners we can catch more of Winding Lane and have a much more efficient construction process; it involved more homes so the cost per resident is lower. Chairman Zacchio commented that is our goal. Mr. Baril commented that the route is a little different than what Tom saw when he did the original map; as a consequence there were people in the north section that were not within the petition area that Tom canvased initially. Chairman Zacchio questioned that during the AWPCA meetings and process you go

through to determine to move forward with a project the entire neighborhood was included in those discussions. Mr. Baril responded that every time we have done a public information meeting or public hearing even if we were specifically talking about the south project or the north project he sent out registered letters to everybody in the neighborhood, all fifty-two, because even though they are separate projects they are going to be joined by virtue of the assessment so everybody should be aware of what's going on everywhere. Mr. Diecidue noted that it was approved already; there was a majority favor by hand vote and by statement that said let's move forward. Mr. Stieber stated that he is also opposed to this. He does not remember if he was actually asked to sign this petition or not; as far as the meeting notices go, it was not clear to him in anything that was sent that he was actually going to be liable for these costs and sharing them with these residents. He can appreciate the fact that their septic systems are failing. He finds it difficult to have to share in that burden with them and also getting no support financially from the Town in this effort; these folks have a problem but it is unfair to ask all of the neighbors to have to share in their burden. He noted that he bought his house about five years ago and had a failing septic tank, the leech field was fine; the property owner was willing to replace the tank and the sale went through just fine. Chairman Zacchio commented that the Town looks to service more and more neighborhoods with sewers because they are an advantage over septic systems, both from a long term perspective as well as health perspective. He noted that he had to put in a new system at his house at one time so he has been through this process and understands what goes on when you are thinking about where you are going to put the leech field because it doesn't perk properly. He noted that we have had some situations where there isn't a suitable for a replacement field and some homes have to get into engineered systems which cost a lot. He applauds the AWPCA's mission in terms of trying to extend sewers throughout Town with close to half of the Town on sewers and we continue to target neighborhoods where water tables are high and we are going to run into these scenarios. He noted that it is a balance of folks who might have new systems who don't really need this and folks that have failing systems that will need this sooner than later and those in between who will eventually have a problem and have this option of public sewers running by their house.

Bob O'Brien, 11 Stony Way, commented that as he understands it as a property owner affected by the north and the south projects we are looking at a range per property owner of approximately \$18-19,000. He questioned if we are safe in assuming that our per property owner cost will be payable over a series of years. Chairman Zacchio responded that it is over a period of ten years at a very modest interest rate. Mr. Baril added that the actual benefit assessment doesn't happen until all of the costs are incurred and paid. He noted that historically the AWPCA has done that on a ten-year payback period; they don't allow that option until they levy the assessment; when that public hearing process happens is when they give that option of ten years; they are not obligated to do that by State law but historically they have done that. Mr. O'Brien commented that he also understands that if you want to connect to the system and run a lateral to your property the connection fee is \$2,500. He has heard rumors that it may increase or double. He questioned if anyone has any verification on that. Mr. Baril responded that right now the connection fee is \$2,500 per residence and can be paid at any time. He added that right now the AWPCA has contracted with a firm to do a cost of service analysis which takes a look at all of your expenditures and operations and maintenance costs, your future capital improvement program and they compare that to the revenue sources that you have and in the AWPCA there are three primary sources of revenue: the standard annual user fee, the connection charge, and the benefit assessments. He noted that the benefit assessments are used to pay the main line

extension program therefore there are two revenue sources to manage operations and maintenance, capital programs like managing pump stations and rehabilitating sanitary sewer lines of which we have about 90 miles of. He added that the AWPCA looked at their charges on an annual basis and was not comfortable doing this on a napkin basis and wanted to have some professional experienced third-party firm do an analysis, it is underway right now and expect to get a draft report which will include their recommendations on or about the end of September and then the AWPCA will have a chance to review, make commentary, ask questions and hopefully by their November or December meeting to adopt the results of this independent review and there could be some modifications to the program in terms of the connection charge or the annual sewer user fee. He noted that if you do a comparison of the AWPCA's charges within State, the Farmington Valley or communities that have a similar system to us we are generally much lower, particularly for the connection charge; the sewer user fee is pretty much in line. He stated that there is no guarantee that today's \$2,500 connection fee will stay the same and based on what is going on around us the recommendation may be to increase it and if that happens State statute mandates that a public hearing process occur which wouldn't be noticed in the newspaper and all AWPCA meetings are open to the public and anyone can be heard at any time about any topic. Chairman Zacchio gave an example as a resident, it's by my house, I expected and supported it at this level would it be fair to say that if the lateral was already at your house and expected a \$2,500 connection fee and there was a recommendation for that to increase if it was already there would it be grandfathered at that cost or a grace period; you can pay the \$2,500 and not connect for ten years which becomes an asset if you sold your house.

Eric Johansen, AWPCA Chairman, commented that we are waiting for December when this study comes through and it is very likely that the study will say that our fee is extremely low and needs to be increased and we will probably increase it; the Board would vote on it at that time. He commented on the grace period or other option for people to pay \$2,500 right now but would probably be one year and not grandfathered indefinitely. He noted that the cost can go up. We feel that when we presented the proposal and had the meetings the cost is \$2,500 and that is what people have in mind when they are assessing what their costs are going to be so we try to give them a shot of completing the project at that point and cannot extend that many months.

Bob O'Brien, 11 Stony Way, questioned if we have a cap of \$19,110 and the contractor encounters unanticipated subsurface conditions and we all know it is rock, that would likely between the Town and the contractor drive up the contract price by way of change order and are we still protected by the cap. Mr. Baril responded that is the reason for the cap, take the risk away from the homeowners and put it on the AWPCA. Chairman Zacchio commented that we do borings ahead of time and learning more about the process and decisions that were made it makes a lot of sense but that burden would be on the Town to cover those costs because indeed there is now a 5% cap over the \$18,000 or maybe on the contractor. Mr. O'Brien commented that we are getting late in the construction season and paid some attention to the south sewer project and the road is still torn up, there are stones, and he worries about our ability to complete this project before the onset of cold weather and what that will do to the surface of the road and asphalt plants close. He assumes Council will approve entering into the contract tonight with the contractor and is there a date for substantial completion which is a hard date with maybe a liquidated damages clause or not. Mr. Baril responded yes, the contract has a time is of the essence clause with damages and a hard deadline for substantial completion and that includes temporary paving. He added that the goal was to get this approved tonight; if not, the project

wouldn't happen this fall because we have a very short window and assured by the contractor that we can get the work done in that window and meet the time is of the essence schedule which was in the bid documents and would be incorporated into the contract; the pipe has to be in the ground, the trench backfilled and put temporary paving down before the paving plants close; in New England we could get snow in October or no snow at all. He noted that the time is of the essence has an end deadline of around November 21st; the paving plants in our area historically don't close until after the second week in December which gives us a three week cushion; even with weather dependency the burden will be on the contractor. Mr. O'Brien questioned that if temporary paving gets done the way we anticipate it would the contractor come back in the spring for the final paving. Mr. Baril responded that the final paving would be done by our Public Works Department as a separate project in our next capital budget cycle. Mr. Stokesbury questioned if all temporary paving is done at once or incrementally as the project proceeds. Mr. Baril responded that it depends on the length of the project; for the south project we requested two phases with Stony Corners first and Winding Lane next. He added that the contractor did a good job keeping that road surfaced; we had a reasonably good summer for washout and saved money doing it at one time. Mr. Stokesbury clarified that it could be done incrementally during the project. Mr. Baril responded yes.

Jim Hepburn, 58 Winding Lane, commented that the south project is essentially done and the people petitioned were mostly on the south side. He questioned what harm there would be to the people on the south side if the north project was not finished/cancelled. Mr. Baril responded that there would be no harm to the people on the south side. Mr. Hepburn questioned if the north people never signed the petition and apparently don't need the project as much as the south people why do both so quickly. Chairman Zacchio responded that we are not here to decide whether or not the project is necessary, needed, approved; it is a function of the AWPCA, they held meetings and went through this process around moving this project forward. He noted that what is before Council tonight is approval of a contract to move forward which is based on the bid and the amount that has to come before us. He added that we are pretty far past the project portion of this where you are backing into whether the project is necessary or not and that is a function of the AWPCA and not the Council.

Tom Diecidue, 146 Winding Lane, commented that a concern he has is if we wait and don't get this done this year before the winter is ending and we have to go out to rebid; petroleum is going up, people are expecting prices to go down and there is no guarantee of that. He noted that we already have a capped price for the entire project so if we are trying to save a few thousand dollars over a ten year period of payback time which might even happen, it might go up; we know what the price is, he does not want to wait in the hopes that we are going to do any better than we did. Chairman Zacchio responded that we have a qualified bid and qualified contractor and half way through our project and we need to move forward. Mr. Diecidue commented that waiting is not going to grant another 5% cap on costs and wants to take advantage of that now.

Eric Johansen, AWPCA Chairman, commented that the AWPCA's mission or goal is to prevent water pollution based on sewage systems in the Town; that is our primary issue and what we work on; we don't have a goal for the sewers in the entire Town; we did the study not so that we could go through and prioritize and make sure that the entire Town is covered by a certain date; it is based on need and that is why we had prioritization in that neighborhood as it was at the top of the list. He noted that when you have an area like a neighborhood where all the homes were

built in the 1960s the standards for septic systems were completely different back then; the ground water tables are two feet below the surface in the studies that were done and the soil is hard pinned, doesn't allow water to pass through, like clay, which is the worst condition to have for a system. He added that this neighborhood would not be able to be built right now with septic systems at any kind of reasonable costs and we are finding that in other areas of the Town. He noted that the fact that those sewers were there and are still working; a misconception is that working means that they are not backing up into your house; when you have a high ground water table and you are pumping sewage into your system and it is not working correctly you are using the ground water to move that across the entire area and that is not what they are intended to do; they are intended to treat at one spot; the ground water will no longer work in that way and the ground water in the entire area gets contaminated; this is not the ground water that you are drinking out of the well; you get seeps coming out of the surface, he grew up in that area, and in the spring it smells bad because the system has failed. He added that because of the high ground water table most houses have curtain drains around them to prevent flooding basements; sewage is going into those curtain drains and going out into streams and other areas that they run off into. He commented that the primary goal we have in doing this prioritization is to prevent water pollution in Avon and protect the Town and that is what this does; a secondary benefit from our perspective is if you have a system that is going to fail it is a lot less expensive to spend \$20-25,000 and have this system available than to go out and put an engineered system in; we had a realtor at one of the public meetings that said she just had two systems over \$50,000 that had to be put in as a condition of the sale. He noted that when you put in a septic system it is not guaranteed for life. He added that we have an obligation as the AWPCA to prevent these things from happening in Town and what we based our decisions on; by State law we have the authority to do that regardless of whether the residents agree with it or not; we hope residents would appreciate why we are doing it. Chairman Zacchio commented that is a great reminder of the mission and the work that the AWPCA does.

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

RESOLVED: That the Town Council award the contract to GEG Construction Inc., of Springfield, MA, in an amount not to exceed \$538,279 for the Winding Lane/Stony Corners North Sewer Project.

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

Chairman Zacchio thanked everyone for their input and to Eric Johansen, AWPCA Chairman, for coming out and his explanation helps put in context what your mission is; hopefully this project moves forward as quickly as it can and would recommend considering splitting the temporary paving piece if it becomes necessary so that part of the road can be set for the winter if you do not meet your goal.

17/18-17 Technology Lease/Purchase Approval (Board of Education)

Chairman Zacchio reported that the Board of Education has done these leases in the past for laptops and chrome books, has been a successful program, keeps technology fairly fresh at a good rate, and does need our approval. Heather Michaud, District Director of Fiscal of Affairs, is present as well as Peggy Roell, Board of Education member, to answer any questions. The Town Manager commented that to comply with our debt policy as we are entering into long-term purchase agreements it requires Town Council and Board of Finance approval. Ms. Michaud

noted this is the sixth time for such request. Mr. Stokesbury questioned what the experience has been in the schools using this device in providing technology to the students and staff. Ms. Michaud responded that this particular lease is part of the replacement cycle for the majority of the staff. Mr. Stokesbury questioned how old those machines are. Ms. Michaud responded that they are four years old and out of warranty; the issue with the high school machines is the staff had requested when they move towards providing laptops for all of its faculty members as part of their instructional needs they asked for laptops only; everywhere else they still wanted the desktop setup and the laptop and we honored that; the high school is now a priority because their laptops are four years old, out of warranty, and starting to fail because they are heavy users and why they are coming to you with their own leasing agreement and technology acquisition. She noted it is completely essential to supporting the curriculum that has been put in place, particularly in the high school to make sure that they are up to date with these machines. She noted that they have 50 additional chrome books to continue that move towards the chrome book carts in each classroom. Ms. Roell added that State testing is done on the chrome books along with a lot of their work during the day. Mr. Stokesbury commented that technology is integrated into the curriculum.

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

RESOLVED: That the Town Council approve a four-year lease agreement between HPE Financial Services and Town of Avon for the Board of Education to secure 110 laptops for faculty and 50 chrome books for students at Avon High School, in an amount not to exceed \$159,917.36, or annual installments of \$39,979.34.

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

Peggy Roell reported that the Interim Superintendent started a few weeks ago, has connected with the administration, staff, and has been great. She noted that we appreciate Gary Mala's six and a half years with us and is now working with EASTCONN.

17/18-18 Acceptance of Gift to Avon Police Department, \$3,900

Chairman Zacchio reported that we received a donation of a desk from Attorney William Seiden. The Town Manager commented that it was not solicited or anticipated; Attorney Seiden does have some experience with the Police Department, particularly with Animal Control volunteering as a dog walker. He reached out to the Chief who was glad to accept such donation. Chairman Zacchio questioned how we were using it. The Town Manager responded that it is in storage right now and probably once we finalize the bump out in Building #3 it will go into one of those areas like the Emergency Operations Center. Chairman Zacchio asked if we could put a little tag on it, donated by Attorney Seiden. The Town Manager responded that we could do that and once setup we can send a picture to Attorney Seiden. Chairman Zacchio asked the Town Manager to send a letter of thanks from the Council for his donation.

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

Resolved, that in accordance with Town Charter, Section 4.3.2(1), the Town Council hereby accepts a gift of a desk valued at \$3,900.00 from Attorney William Seiden to be used at the Avon Police Department.

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

17/18-19 Acceptance of Gift to Avon Recreation and Parks Department, \$3,695.40

Chairman Zacchio reported that the Farmington Valley Soccer Club has made a very generous donation and a nice boost in our capital equipment in the fields. Chairman Zacchio asked the Town Manager to send a letter of thanks for their donation on behalf of the Council.

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

Resolved, that in accordance with Town Charter, Section 4.3.2(l), the Town Council hereby accepts a gift of \$3,695.40 from the Farmington Valley Soccer Club to be used to purchase new goals for the Town soccer fields.

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

17/18-20 Approval of Real Estate Tax Refund, \$1,516.15

Chairman Zacchio noted that this refund request is the result of a car that had already been sold and removed from the tax role.

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

RESOLVED: That the Town Council approve a real estate tax refund to VAULT TRUST in the amount of \$1,516.15.

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

17/18-21 Appointment: Youth Services Advisory Board

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

RESOLVED: That the Town Council table agenda item 17/18-21 Appointment: Youth Services Advisory Board to the October 5, 2017 meeting.

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

X. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager reported that we received bids for the public safety radio system and our outside consultant has them and we are looking for them to give us a side by side comparison of what is being proposed, pros and cons of each, and bottom line being the cost and we will digest that and come back at some point with a recommendation, but probably not ready for October or November. He reported that snow removal service bids are back today. He noted that we have Celebrate Avon on the 23rd and we received bids for various rentals for that. He noted that on the microgrid feasibility study we put out bids with the help of Murtha Cullina, there were a number of responses, we did three interviews with a panel including himself, a few Avon Clean Energy Commission members including Bernie Zahren, and a few Town staff; there was consensus on one of the contractors; it is very technical, we have a lot of questions, we are preparing a list with outstanding issues we have and submit that to the engineer we think we would like to work with and see what their responses are. He noted that with the telephone system upgrade we have selected the vendor and are working through the punch list of pre-installation tasks; we have funding in the capital budget for this project and have a user group with department heads and admins and will start rolling that out as quickly as we can. He noted that we have other bid packages in development: fencing on the rail trail and

include an alternate for brown versus white and asked the proposers to come back with samples; we are also including a package to replace the fencing around Sycamore Hills as it has rusted and had one injury of a child who cut themselves on an exposed piece of wiring; the new one will be vinyl coated and consistent with the capital funding that we have been budgeting over the last few years to bring that area up to speed. He noted that we have revaluation coming up and in the process of preparing a bid document.

Misc. B: Construction Update: The Town Manager reported on the storage facility by the Police Department is coming along nice and encourages Council to walk by the area; it has the brownstone look and the roof has been designed and constructed to look just like the existing buildings on campus; there is a lot of room for storage, has a bay to fit a car, will have HVAC, and all necessary computer connections. He noted that the flooring has been poured for the bump out on Building #3; we are going to have to move the radio antenna and put out a bid to find a specialized contractor and are working on timing to get it moved. He reported that with the Fire Company Improvements we have taken care of the drainage issues and have coordinated closely with the Fire Department to make sure their program requirements are met; we have the new steel in for reinforcement of the floor. He reported on Fisher Meadows; we had a few permitting hurdles, one is we had to complete the natural diversity database review process and had at least one hit, there are some turtles on that site from a protective class and proactively came up with a mitigation plan and DEEP found that acceptable and then gave us an application number to file the storm water runoff permit and do not anticipate any issues; we have been working closely with Michael Kline; we have to walk the site at the beginning of construction every day and move turtles if necessary. He noted that if we weren't doing this project, farming activities are exempt. The Assistant to the Town Manager noted that there was a photo in the Valley Press a few months ago, courtesy of Dennis Dix, of a box turtle at Fisher Meadows. The Town Manager added that with Fisher Meadows there has been some work on the site; we replaced an 8" lateral out of the pond that will feed the new fields as well as existing fields and done some piping that goes along with that. He noted that at a prior meeting he talked about using an appropriation in the capital budget that was previously programmed for softball work at Fisher Meadows and has been reprogrammed for this work. He added that the Director of Public Works has told him enough about the system at Fisher Meadows that it would be unwise not to address putting in a new system for the fields. Mr. Stokesbury questioned that this is irrigation water that you are speaking of. The Town Manager responded yes. He reported that with regards to road improvements the driveway into the Landfill/Transfer Station is going to be paved by the end of the season. He added that we have also contracted the beta group to come out as they do every five years to do an independent assessment of all of the roads related to our Paving Management Plan; we are doing that now so that for FY 19 we will have something updated in our capital budget.

Misc. C: AVFD Anniversary Events: The Town Manager reported that the Avon Volunteer Fire Department is hosting the Annual State Volunteer Firefighter's Association next year from September 14-16, 2018 and will also be in recognition of the Department's 75th anniversary. He noted that for the fire service this is a big deal; there will be an event at the high school, parade down West Avon Road, and some events at the MH Rhodes property. He noted that Dave Theriault is serving as Chairman and coordinating all of this with Town departments and has been discussed at a Planning staff meeting; carnival rides will be involved and potentially fireworks. He was told that it will be much like the fair/carnival that used to be held on Enford

Street but the scales may be a bit larger. He noted that as this develops we will have more information for you; mark your calendar now. Mr. Stokesbury asked if we can mark our calendar now to consider integrating Celebrate Avon in some fashion. Mr. Speich commented that you do not want them at the same time. Mrs. Maguire commented that you could lose your volunteers. Mr. Speich commented that this is a big deal, a very large event. The Town Manager commented that the event this year is in Norwich and he was going to check it out.

Misc. D: CT Water Acquisition of Avon Water: The Town Manager reported that the Avon Water Company has been acquired by Connecticut Water, approved by PURA, they have gone through all of the hearings of which one was held at the Library in January; Connecticut Water stands in the shoes of Avon Water and assume all of their responsibilities including what Avon Water has to the Town under the Fisher Meadows agreement; there is language in the agreement that says if there is a change of control of the Avon Water Company within twenty-five years of the inception of the agreement then the Town has the option of renegotiating the demand and commodity charge, which is a monthly fee we receive for the water that Avon Water draws out of the aquifer, or take a lump sum payment which is a function of the value of the acquisition cost of Avon Water. He noted that we can take a lump sum or an increase over a really long time because the horizon in this agreement is fifty to one hundred years. He suspects that the ultimate recommendation is going to be to renegotiate the demand and commodity charge. Chairman Zacchio questioned how much that is. The Town Manager responded it is approximately \$70,000 per year; it is calculated on a calendar year basis so approximately \$67,000 last year. Chairman Zacchio commented that would be a huge loss. Mr. Stokesbury commented that they may not equate. The Town Manager noted that the lump sum payment is based on the value of the acquisition. Chairman Zacchio clarified that they are not connected. The Town Manager responded no; it is going to be in the range of \$200,000+/- . He added that it will most likely be in our best interest to do the increase in the demand and commodity charge; we have to do the math, the net present value calculations, and come up with a basis for what we would ask for with the increase and that is in the works. Mr. Speich questioned now that Connecticut Water owns Avon Water Company, does Avon Water stay in Avon, or do they divert and get water from somewhere else. The Town Manager responded that it is the system as is, if they want any other interconnections beyond what they have now they would have to go through an approval process with PURA and the Town would have an opportunity to comment on that. He noted that is one of the issues we raised during the regulatory review process both with PURA and directly with Avon Water and Connecticut Water because we wanted assurance that they system was going to, for the foreseeable future, remain as it is currently functioning and have comments if there were any applications for interconnection agreements filed with PURA and something we will be watching. He added that we will also be watching to see now that the change in control has occurred if we see fluctuations in the amount that they are pumping out. Mr. Speich commented that it would be unfortunate to see the aquifer get distressed. The Town Manager noted that there is also language in the Fisher Meadows agreement that Avon has to be served first so there are some safe guards; we will be monitoring that.

The Town Manager reported that we had another meeting of the Fire Facility Assessment Committee earlier tonight, the third meeting so far; we are getting very close to having a recommendation ready for Council.

The Town Manager reported he is hearing a lot of questions in anticipation of the Avon Village Center Project at the Rotary Club and at the soccer fields. He noted that we are continuing to work closely at both staff level and Planning and Zoning Commission (PZC) level with the developer, Carpianto Group. He added that he finds himself often repeating that this is not a Town project; we are in the role of regulator, master planner, and to some extent we have leverage over the scheduled based on the condition approvals issued by PZC to date; the cadence for how the developer moves forward and builds it out is not entirely in our control; he finds himself with most of these conversations prefacing the discussion with that; there is a cease and assist on that project right now, will be revisited at the next PZC meeting; the conditional approval is still in place but we have yet to see the detail that the PZC needs to have to act to move it forward. Chairman Zacchio commented that we probably all here to some extent the same and explaining that same thing several times as we are sort of ambassadors of that project but it is an Avon project. He noted that it is important that we all help others understand we serve a role in that process but not in charge of pushing it in some timetable; there is a balance in the negotiation process.

Mr. Speich asked about the status of the stop signs at Burnham Road. The Town Manager responded it is in the pipeline. He noted that orders for both Burnham Road and Country Club Road are in.

XI. EXECUTIVE SESSION: Real Estate
Pending Claim Litigation

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

RESOLVED: That the Town Council go into Executive Session at 9:37 p.m.
Mrs. Maguire, Messrs: Pena, Zacchio, Stokesbury, and Speich voted in favor.

The Town Manager, Assistant to the Town Manager, and Town Clerk attended the session. Town Assessor Harry DerAsadourian attended the session for the real estate item only.

XIII. ADJOURN

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

RESOLVED: That the Town Council adjourn the meeting at 10:24 p.m.
Mrs. Maguire, Messrs: Stokesbury, Zacchio, Pena, and Speich voted in favor.

Attest:

Ann L. Dearstyne, Town Clerk