

**AVON TOWN COUNCIL
SPECIAL MEETING MINUTES
January 11, 2018**

I. OATH OF OFFICE

The Town Clerk gave the oath of office to the members of the Town Council: Mrs. Maguire, Messrs: Pena, Stokesbury, Speich, and Bernetich.

II. CALL TO ORDER

The Town Clerk called the meeting to order at 7:30 p.m. at the Avon Town Hall, in the Selectmen's Chamber.

III. NOMINATIONS AND ELECTION OF COUNCIL CHAIR

The Town Clerk called for nominations for election of Town Council Chair.

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

RESOLVED: That the Town Council elect Heather Maguire as Town Council Chairperson. Messrs: Pena, Stokesbury, Speich, and Bernetich voted in favor. Mrs. Maguire abstained.

Mrs. Maguire welcomed Jeff Bernetich to the Council and looks forward to working with him. She is honored and humbled to be elected to chair this Council, a board of highly qualified, experienced and dedicated individuals. She looks forward to spirited, informative, and reflective discussions as we work as a team to provide the best for the Town of Avon. The political environment at the national and state levels have become increasingly divisive, too often interfering with proper operation of government. This Council however has worked cohesively with a shared common goal of doing what is the best in our Town; we are one community, when there is good we revel; we cheer each other and we celebrate each other's successes. We are a community that will come together for a cause and reach new heights. We are a community that grieves when one of us is lost. As we sit up here let us never lose sight of why we are here. We are here to represent, assist, and provide leadership in what is already a warm, caring, and compassionate community. Thank you for your support; now let's get down to business.

IV. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Maguire.

V. PUBLIC HEARING: None

VI. MINUTES OF PRECEDING MEETING: November 15, 2017 Special Meeting
December 7, 2017

A few corrections to the November 15, 2017 Special Meeting minutes were made as follows: On page 5, 1st paragraph, 12th line, change "and" to "an" and in 2nd paragraph, 5th line, insert "upon" before "the Board..." and insert "budget" after "capital."

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

RESOLVED: That the Town Council accept the minutes of the November 15, 2017 Special Meeting as amended.

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

A few corrections to the December 7, 2017 Meeting minutes were made as follows:

On page 2, 1st full paragraph, 14th line, change “get” to “give” and in 37th line, change “selfish” to “selfless”; on page 5, 2nd paragraph, last line, change “it” to “there”; on page 20, 1st paragraph, 6th line, change “Mr.” to “Ms.”

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

RESOLVED: That the Town Council accept the minutes of the December 7, 2017 Meeting as amended.

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

VII. COMMUNICATION FROM AUDIENCE

Mary Deppe, 35 Westland Road, reported that she was here tonight on behalf of a lot of people in the community in regards to the standing turf project. She noted that in January 2017 the Town Council and Town Manager sent a letter to the three State representatives explaining the situation and how far everyone got on that project and asking for the State’s support to provide some funding to the Town of Avon. She added that in turn those State representatives sent a letter to OPM (Office of Policy and Management) and they followed up in the same month and another letter was sent from the Town in May 2017 but to the public’s knowledge there has been no reply from the State; we are hoping that this can somehow be resurfaced with a lot of support from parents writing letters, hopefully another letter coming from the Town Council, the Board of Education, the Avon High School principal, the Athletic Director, and a lot of people in the community, non-athletic and athletic, it is a positive proposition for the whole town, a positive thing for the whole community of Avon; we are so far, shovel ready and it is sad to see all the work and effort that has been done for so many years just to have it sit in idle time; with the new year, hoping that something could really get lit and progress in a positive way; with some funding from the State and some parents putting together some fundraisers to get some pledges and with what Avon can also contribute too would be three sources, possibly if there is going to be some referendum coming up in the future if it could be bundled with something that is pretty important, of substance that impacts the whole town, like the radio system in the Lovely Street area where the police station and fire departments lose calls when they are trying to help people in our community; if it was bundled with something like that, all of those things are very important to everyone in our community. Mrs. Maguire thanked Ms. Deppe and added that the Council shares your thoughts regarding the turf field and mentioned that Ms. Deppe was at a Booster Club meeting the other night and got information from Mark Zacchio; that is something that is high on our list and we will continue to persevere, hopefully get some buy-in from the Board of Education and the community. Ms. Deppe asked if there is a way we could know that another letter will be written from the Council this month and if we all get onboard where parents write letters and inundate the State representatives and maybe OPM. The Town Manager responded that they are happy to be inundated; it wouldn’t be the first time. He noted that he was in a meeting this morning with Senator Witkos and brought it up with him. He added that

we can get out another letter campaign. He threw up some words of caution to moderate expectations, the State is facing a number of financial headwinds right now. He added that there is the operating budget and the Bond Commission; the Commission is where the State approves capital projects and even though the operating budget is very tight, they continue to meet and approve hundreds of millions of dollars of projects. He noted that at the same time another letter is certainly in order as the State swings into their budget process and the Governor delivering the budget in February. Ms. Deppe questioned if it was realistic to think that it could be put on a referendum with or without State funding coming in; if we keep waiting for that another few years might pass. The Town Manager responded that from the Town Council's perspective and much as you heard from Mark Zacchio at the Booster Club meeting the historical approach to this project has always been a three-legged stool: Town funding, State funding, and Booster Club funding. He personally thinks that what would make a difference with the State is if the Booster Club goes out and starts drumming up interest and show the legislators that there are some pledges that will carry a lot of weight. Ms. Deppe responded that the problem with that is there have been people that have been willing to do that in the past and since had multiple children graduate from high school so for us to ask the community to give pledges we have to be realistic that they're going to see this in a certain time because there is new coming in, old going out, so to ask people to pledge something with it so unknown, there is no commitment. The Town Manager noted that the wise move is to get the pledges because that is going to move the legislators. Ms. Deppe commented that we are one of the few towns in the State that does not have a turf field and there are multiple towns that have gotten money from the State; Darien got \$4.5 million to put in multiple extra turf fields; they have four turf fields right now; we do not have one turf field. She noted that we do not have that one person that is going to donate a whole bunch of money; we have been in this situation for a long time; we need to go back to the State and see what they can do and if they are not going to do something we have to start moving forward with this. Mrs. Maguire responded that we can start with that; we will meet with who we have to meet with and push ahead; none of us want to see it fall apart, too much time and energy has been invested in it. She appreciated the comments and thoughts and very aware of how the Booster Club and athletic community feels and we invested a lot of time to put together a design and a project ready to go. Ms. Deppe asked for some kind of date for when another letter will be sent out so they can move forward on their part of things too. The Town Manager responded that something will go out next week and will copy Ms. Deppe on it.

Adam Lazinsk, 88 Deepwood Drive, commented that he read in the newspaper this morning that Governor Malloy was suggesting that significant transportation projects might not find funding given the State's current fiscal situation. He asked the Town Manager how that might impact the Old Farms Road Bridge Project, if at all. The Town Manager responded that announcement was made yesterday afternoon and he was at a CRCOG Executive Committee with the Commission of Transportation who was gearing up to make the announcement; as far as we understand it at this point the Bridge is exempt; there is funding for the Bridge and will not be affected; we are less clear about the LOTCIP process which is a portion of the funding that we were planning to use for the Old Farms Road Project.

Susan Rietano Davey, 11 Edwards Road, PTO Board Vice-President, Land Trust Board Vice-President, and Booster Club President, commented that it is a great day to have Heather Maguire as our Town Council Chair and congratulated her and has worked with her a lot and she is exactly what this Town needs and although Mark Zacchio leaves big shoes you will fill them

beautifully and bring us in a great direction. She clarified for the Town Manager that the Booster Club is not spearheading any fundraising; the Booster Club is a separate entity and are very busy managing our own projects but separately she and some other people did work on the original fundraising and there was not a lot of traction because we were not really getting that far. She believes there are still some people who would be willing to do that but it would not be a Booster Club fundraising effort but rather a community effort with some Booster Club representation; the Board does not want to be in charge of leading that type of fundraising effort given all of our other competing interests. Mrs. Maguire commented that it might be time to resurrect ACORN and get them involved.

Terri Wilson, 64 Mountain View Avenue, extended congratulations to Mrs. Maguire. She noted that Mr. Stokesbury has been a long time member and former President of the Historical Society so she had filled his shoes and it is great that he is still on the Council as well. She appreciates the opportunity tonight to come before you and share the Historical Society's new web site. She noted that the Board embarked on a new branding campaign a year ago, coming up on their 50th anniversary in a few years. She gave a brief overview of their new web site, using historically accurate colors from around the period of 1830 when Avon was incorporated, easy to read, able to be seen on tablets and cell phones; they are a very active organization maintaining the four sites in Town and exhibits at the Library and having lots of events; at the same time the CT Historic Society and other organizations in the State are doing similar things so they are linking with those, i.e. barns; they are working with the Town about upgrading maintenance on Schoolhouse No. 3 to celebrate its 200th anniversary in 2023; there will be an annual meeting in April, open to the general public to discuss ideas for the Derrin House and Horse Guard barn; they are pleased with how the web site came out, Brigitte Soucy with Pair Design was their designer; their gift shop will be an e-commerce site for tickets, etc. She noted that Council saw the Library's new web site and the Town is refreshing theirs so this is terrific. Mrs. Maguire commented that it is a great site; it is a great learning tool, schools can utilize it, anyone who wants to know the history of Avon. Ms. Wilson asked the Council to share any comments about the web site. She thanked the Town for allowing them to put their events on the Town's web site as many of their events are at the Senior Center or Library. Mr. Stokesbury commented that it looks great and is very consistent with the historical banner project. Ms. Wilson commented that the banners are all over Town and if anybody knows of any public location to put them in let them know; it is free for use for how long as you choose. Council thanked Ms. Wilson.

Michael Trick, 48 Pine Tree Lane, Chief of Avon Volunteer Fire Department, congratulated Council members on their re-election, Jeff Bernetich's election to the Council, and Madam Chairperson – congratulations. He believes that our success and relationship will continue to grow and be fruitful in the coming years. He noted that they are starting their 75th year of service as a combined Fire Department; he distributed calendars and announced their next featured event is this coming Saturday at the Avon Free Public Library from 6-8 p.m., all are invited and he looks forward to seeing you there as well.

VIII. COMMUNICATION FROM COUNCIL

Mr. Speich congratulated Mrs. Maguire as Chairperson. He noted that the last female was Beatrice Murdock who was a great person and Mrs. Maguire will follow greatly in her footsteps. He thanked the Department of Public Works for their snowplowing during the last storm. He

asked that while you travel around Town look at the hydrants; he does not want to lose sight of that and the fire department wanting an ordinance for that. He had the honor of talking to the Cub Scouts the other night at Pine Grove School; a co-worker has a Cub Scout Pack and he talked about being a Town Councilman and he learned a lot that night.

Mr. Stokesbury reported that the State published a list that is about eight pages long of capital projects that have been put on hold; whatever we want to do in Avon we need to be aware that the State has massive problems that will impact us. He recognized Town staff, particularly the Collector of Revenue section; he has a list of six towns that are preparing to do municipal tax sales, sale of outstanding taxes on individual properties, i.e. East Hampton with a population of 13,000 and mill rate of 31 has a page and half of properties that they are doing tax sale on; we do not and quite fortunate to have Town staff do a great job of collecting taxes that we assess. He asked the Town Manager to thank them on his behalf.

Mr. Pena welcomed Mrs. Maguire as Chair for the Council as well as to Mr. Speich and Mr. Stokesbury who have been a pleasure to work with and welcomed Mr. Bernetich and looks forward to working with him as well.

Mr. Bernetich commented that he is happy to be here and we will be a great team.

Mrs. Maguire reported that Project Graduation is in full gear and thanked a lot of the community for supporting the E&D fundraiser that did well and there will be solicitation letters going out to the community soon to keep things going ahead.

IX. OLD BUSINESS

17/18-24 FY 18/19 Budget: Town Council Budget Workshop Schedule: **Recommended Date: Saturday, February 24, 2018 at 8:00 a.m.**

Mrs. Maguire noted that the Town Clerk will not be in attendance for the workshop so the Assistant to the Town Manager will fill in.

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

RESOLVED: That the Town Council approve the Budget Workshop Schedule for Saturday, February 24, 2018 at 8:00 a.m. in the Selectmen's Chamber as follows:

8:00 a.m.	Budget Overview
8:20 a.m.	Library
8:40 a.m.	Fire Department
9:00 a.m.	Police Department
9:25 a.m.	Break
9:40 a.m.	Public Works
10:10a.m.	General Government
10:30 a.m.	Public Safety (except Fire and Police)
10:50 a.m.	Health/Social Services
11:10 a.m.	Recreation & Parks
11:30 a.m.	Conservation & Development
11:50 a.m.	Engineering/Sewers

12:10 p.m. Lunch
12:40 p.m. Special Revenue Funds / Capital Improvement Program
1:00 p.m. Adjustments, wrap-up – Adjourn

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

X. NEW BUSINESS

17/18-34 Review and Discuss Potential Acquisition of Property Located at 828 West Avon Road and Buffer Zone Lease Back

Mrs. Maguire recalled that in 2016 we updated the Plan of Conservation and Development (POCD); 21 undeveloped parcels were identified as a high priority for preservation and many reasons for preservation exist, some major ones are substantial size and may offer opportunities to maintain a rural character of the Town, a parcel could provide connectivity to other existing parcels and/or parcel could have unique natural attributes. She noted that in the POCD surveys were conducted with our residents by the Planning and Zoning Commission and it was concluded that over 88% of the residents preferred purchasing undeveloped land over commercial or industrial development; they would support somewhat higher taxes to preserve additional valuable open space.

The Town Manager reported that he and the Town Assessor have been working out the various details associated with the potential acquisition of the property located at 828 West Avon Road owned by Bill and Lenore Severni and our acquisition would not include the farmhouse; it would entail approximately 39.3 acres of property; the Town would acquire the property with no restrictions, at some point in the future it could be used for general municipal purposes and the same language that we included in the approval documents when the MH Rhodes acquisition was approved in the early 2000s. He added that the purchase price is about \$2 million, payable over a period of eight years and in the buy/sell agreement we have worked out the schedule of payments and embed those payments in our capital budget, taking reduction in debt service and moving it over to capital, and because of the appropriation amount we would be doing a private placement bond with the Severnis who would hold a note on the property payable over eight years and we would apply an interest rate of about 1.75% that we would budget in our debt service line item. He added that also in the agreement we would include a buffer zone leaseback so a portion of the property would be leased back to the Severnis and could continue for up to eighteen years, subject to certain conditions; we would lease the front portion of the property to a farmer to continue the existing agricultural use much like we do with the property at Fisher Meadows. He noted that we have had a wonderful dialogue with the Severnis; a very constructive discussion. He added that there has been interest in this property going back to the early 2000s and it is one of the properties that is noted in the POCD as a priority should it come up for acquisition and it has. He commented that what we are looking for tonight is for concurrence from the Council on those basic terms; we have had the Town Attorney do the legal work to prepare the agreement and the Assessor has discussed with the sellers and they are in concurrence with that; we are looking for a soft year and if that is the case over the next month we will continue on this track, come back in February with a number of actions that we would need Council to take including authorizing the Town Manager to enter into the buy/sell agreement subject to all of the restrictions, various approvals, and the appropriation; we refer the acquisition to the Planning and Zoning Commission consistent with a required 8-24 referral; and

also need to set a public hearing date for the March meeting as there is language in the buy/sell agreement about the buffer zone leaseback and per the Charter requires a public hearing. He noted that all of this would then move forward in anticipation of a Town meeting in April and authorize the appropriation. He noted that the thresholds for those approvals are defined in the Charter so any project up to \$2.6 million requires a Town meeting approval and beyond that is referendum approval. He noted that in this case it is about a \$2 million acquisition, we don't capitalize interest, and \$70,000 in soft costs. He added that we would also need an appropriation likely from Unassigned Fund Balance, which we don't like to access, to take care of the soft costs associated with the acquisition for legal fees, survey, Phase I environmental, and bond counsel fees. He noted that his plan would be to budget those soft costs along with the first payment for the property acquisition in the FY 19 capital budget and reimburse Unassigned Fund Balance. He noted that this is a similar process we used for the Old Farms Road Project and Old Wheeler Lane Bridge Project.

Mr. Stokesbury commented that behind the scenes we have been dealing with this actively for most of 2017, maybe even earlier, and while it is new on the public side of the agenda, it has been actively pursued with the Assessor taking lead all year long. He noted that it is a beautiful, unique site; the property we would be acquiring does not include the barn up at the corner of the property or a strip further towards Unionville which is more opposite the Church property; it is a huge open meadow that is gorgeous to stand in and look out upon. He thanked the Assessor for his efforts and pursuing that. He added that this is the first step in the process and as the Town Manager mentioned we also need taxpayer approval for it and we will be pursuing that once we move forward in February and then the public hearing.

Mr. Speich commented that it is a great purchase, we have been working on it awhile, and it is a great piece of property. He questioned a referendum versus a special meeting; we are not at the threshold for a referendum but from a transparency standpoint is that something we should do. He is personally for a special meeting. Mr. Stokesbury responded that he does not want to couple it with the budget referendum as they are distinct and not have one suffer for the other in case there is not the sediment we expected it to be; the Town meeting vote is much less expensive and for that reason he would be in favor as long as we publicize it well.

Mr. Pena commented that it has been a long time coming and many years went into this, many meetings; it is a great piece of land and a good opportunity for us to buy that piece of property. He noted that regarding referendum versus Town meeting, it might be more transparent but as long as we put it out there with the proper information and direction that we are going he does not see it as a transparency problem. He agreed about the additional referendum expense that we would not have to incur and it might be best to go with the Town meeting at this point.

Mr. Bernetich commented that no one is making more land and he thinks we should buy it.

Mrs. Maguire commented that she concurs with the Town meeting option, we are under the threshold, it is far less expensive; we will have public hearings and there will be a lot of discussion and media attention to this so the word will get out.

The Town Manager commented that it sounds like the Council is in agreement and he and the Assessor will keep working in that direction and we will be back with your to-do list of items to approve next month. Council thanked the Assessor for all of his work on this.

Kathleen Davenport, 92 Somerset Drive, asked Council to clarify the term general, municipal purposes. The Town Manager responded he cannot provide a legal definition at this time but it means that there are no restrictions on the use of the property and subject to whatever planning and zoning requirements any other property was subject to. Ms. Davenport questioned what the property is currently zoned for. The Town Manager responded agricultural. Ms. Davenport questioned what if you want to build a school, a fire house, or athletic fields there. The Town Manager responded that it would require a zone change with a public hearing. Mr. Stokesbury clarified that there are no restrictions in favor of the Severn regarding the future use of the property; the Town has a whole body of law to control future use.

17/18-35 Approve Eagle Scout Proclamations

Mr. Stokesbury reported that these are two resolutions in favor of Mark Thomas Beauregard and Jacob James Schwarzhaupt. He read one of the proclamations aloud.

January 11, 2018

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

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

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

Congratulations on your outstanding achievement!

Mrs. Maguire extended congratulations to these young men who are having their Eagle Scout Court of Honor on Saturday afternoon and will present their proclamations to them then.

17/18-36 Contract Recommendation: Grounds Maintenance Services

The Town Manager reported that we did things a little different this time around and to our benefit for all of the contracting out that we do for grounds maintenance; not all Town properties are maintained by Town forces and a lot of times less expensive to bring in private contractors to do that. He noted that in the bid documents we itemized all of those properties and made it clear that the Town retain the ability to mix and match properties and come up with a combination that was in our best interest on a bottom line basis; we took the bids, the Deputy Director of Public Works and Assistant to the Town Manager worked their magic and found a combination of vendors being the two that we are recommending and able to share the work in such a way that the bottom line was the most favorable to the Town as opposed to having one or the other do all of the work themselves. He noted that this is before Council tonight because in the Purchasing Policy we have a requirement that Council approve contracts when they exceed a certain dollar threshold and this does. Mrs. Maguire noted that the overall increase this year is also a result of asking for thirty lawn cuts and added in Buckingham open space.

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

RESOLVED: That the Town Council award the contract to BCI, Inc. dba Butler Company of Windsor, CT and Modern4U, LLC, of South Windsor, CT, for a three-year period beginning in January 2018 and ending on December 30, 2021, in an amount not to exceed \$217,005 (\$72,335 per year) for grounds maintenance services.

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

17/18-37 Contract Extensions Requiring Town Council Approval:

a. Insurance Agent of Record-USI

b. Health & Welfare Benefits Consultant-Milliman

Mrs. Maguire reported these requests are with USI who handles our risk management including cyber risk and overall insurance needs and Milliman who handles our health and medical program. The Town Manager reported that we have some very talented consultants we work with and USI and Milliman certainly fall into that category. He noted that these are joint agreements with the Board of Education. He reported that USI is our consultant for our property/casualty insurance program, our general liability programs, various riders including cyber security, and our workers comp program-our primary carrier is Travelers but USI performs an important role in terms of translating and being our advocate and helps to assess other options in the insurance marketplace. He noted that a few years ago when we made the switch from CIRMA to Travelers for property/casualty, liability and workers comp USI was very involved in helping us develop the RFP, understanding the results and help our decision making process. He noted that USI had not had an increase in six years and there would be a nominal increase but they have agreed to hold their rates with no increase. He added that USI has been very helpful from a risk management perspective, advise us directly or put us in touch with other resources we can use.

The Town Manager report that for Milliman we use them in two primary areas: to serve as our actuary for pension and other post-employment benefits (OPEB) and for our health insurance consultant; they serve as our advocate and independent expert when it comes to dealing with medical coverage and the different impacts to the Town. He noted that they are also instrumental in helping us with the collective bargaining process and making sure our benefits are where they ought to be. He noted that with both consultants, they are not brokers, they are entirely independent; we have service agreements with both, we pay them x amount of dollars per year, and their only responsibility is to the Town of Avon. He noted that the Milliman agreement has not had an increase in seven years, they have asked for a nominal increase of approximately \$4,000 and from a return on investment perspective it is warranted. He would recommend that Council authorize him to execute both agreements as outlined.

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

RESOLVED: That the Town Council approve a contract extension for Milliman with a term to be continued for three (3) additional years through December 31, 2020 and approve a contract extension for USI Insurance Services with a term to be continued for two (2) additional years through December 2019.

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

17/18-38 **Acceptance of Gift to Avon Recreation and Parks Department, \$2,500.00**

Mrs. Maguire reported that we have received a very generous gift from the Farmington Trails Council. She noted that they have given gifts to us in the past; they promote the use and maintenance of multi-use trails in the Farmington Valley so it is really nice to have their support and we thank them.

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

Resolved, that in accordance with Town Charter, Section 4.3.2(1), the Town Council hereby accepts a gift of \$2,500 from the Farmington Valley Trails Council to be used to purchase new fencing for part of the trail system.

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

The Town Manager noted that we did complete the installation of the white split rail fence; we started from Brickyard Road in Farmington and had enough funding to bring it just past the intersection with Thompson Road; it looks nice. Mr. Speich questioned where the Farmington Valley Trails Council gets its funding from. The Town Manager responded that they are a 501c and can accept donations; Avon does not give them grants-in-aid; they may apply for grants through CT-DEEP or CT-DOT. Mrs. Maguire noted that the Director of Recreation and Parks has already sent a thank you note to the Farmington Valley Trails Council.

17/18-39 **Appointments**

Mrs. Maguire noted that the people who are appointed to these positions do a great service to the Town; they are volunteers, they often go to very long meetings, spend a lot of time in this role, do a lot of work for this Town and do not often get recognized so we thank them.

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

RESOLVED: That the Town Council re-appoint Brian Ladouceur, Thomas Armstrong, and appoint Lisa Levin to the Planning and Zoning Commission for a four-year term to expire on December 31, 2021.

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

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

RESOLVED: That the Town Council re-appoint Linda Preysner and Elaine G. Primeau as alternate members to the Planning and Zoning Commission for a two-year term to expire on December 31, 2019 and table a vacancy (1-R) with the same term to the February 1, 2018 meeting.

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

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

RESOLVED: That the Town Council re-appoint Dean S. Applefield, Martha A. Dean, Michael Feldman, and Clifford S. Their, to the Inland Wetlands Commission for a four-year term to expire on December 31, 2021.

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

Mrs. Maguire commented that the Recreation and Parks Committee is a group that she feels strongly that it stays together in light of the potential turf field and expansion at Fisher Meadows.

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

RESOLVED: That the Town Council re-appoint Donald R. Droppo, Jr., David A. Jadovich, Peter J. Ponziani, Kelly Jackson, Todd Donovan, Joe Weist, and Mark Olson to the Recreation & Parks Committee for a two-year term to expire on December 31, 2019.

Mrs. Maguire and Messrs. Speich and Stokesbury voted in favor. Mr. Pena opposed. Mr. Bernetich abstained. Motion passed 3-1-1.

Mr. Pena disagreed with the appointments of David A. Jadovich and Peter J. Ponziani as they are two democratic positions, if you want to keep the Committee together we need to rearrange what we have there. Mrs. Maguire responded that it just needs to be minority representation and unaffiliated is a minority party so they should be represented; both republicans and democrats can nominate but when it comes down to making the decision of who is on these committees it is a decision of the Council and not just the party. She noted that Peter and David both wanted to continue to serve, they are willing, they have done a great service to the Town, Peter has been the Chair of this Committee and has done a stellar job getting the turf field through the design phase and has relationships with BCS and feels that to lose the momentum this group has and the way they have worked so well with staff through the years that it needs to stay together.

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

RESOLVED: That the Town Council re-appoint Gloria L. Farrell and Marie Evans to the Committee of Aging for a four-year term to expire on December 31, 2021 and table a vacancy (1-R) with the same term to the February 1, 2018 meeting.

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

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

RESOLVED: That the Town Council re-appoint Terence Ryan and Christopher Roy to the Water Pollution Control Authority for a four-year term to expire on December 31, 2021.

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

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

RESOLVED: That the Town Council re-appoint Al Smith as Town Attorney for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Murtha Cullina LLP as Assistant Town Attorney for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint James R. McCarthy as Town Treasurer for a two-year term to expire on December 31, 2019.

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

Appointment of Depository of Town Funds was tabled to the February 1, 2018 meeting.

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

RESOLVED: That the Town Council re-appoint USI as the Town's Insurance Agent of Record for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Mark Rinaldo, Police Chief to the North Central EMS for a two-year term to expire in December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Lawrence Baril – Transportation and Brandon Robertson – Municipal Services as CRCOG Committee Representatives for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Linda H. Keith – Town Council Representative to the CRCOG Regional Planning Commission for a two-year term to expire on December 31, 2019 and table a vacancy (1-D) for an alternate member with the same term to the February 1, 2018 meeting.

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

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

RESOLVED: That the Town Council re-appoint Hiram Peck – Alternate and Brandon Robertson – Alternate and appoint Heather Maguire – Member to the CRCOG Policy Board for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Mark Rinaldo, Police Chief as Town Council Representative on the CRCOG Public Safety Council for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Elaine G. Primeau and Stephen Vicino to the Plainville Area Cable Area Television Advisory Council for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Nancy Weiner-Anstey to the Central Regional Tourism District for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Brandon Robertson – Alternate and appoint Heather Maguire – Member to the Connecticut Conference of Municipalities Legislative Committee for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council appoint Amy Paul to the North Central Regional Mental Health Board for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Leonard DelGallo, Jr. and Robert M. Propiescus, Jr. as Town Constables for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Gary Greene – Lakeview Association, Caroline LaMonica – Senior Citizen, Mary C. Harrop – VNA, Jamie DiPace – Avon Volunteer Fire Department, and Sue Anderson – Secret Lake Association as Town Council Representatives for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint the Farmington Valley Health District – Avon Health Department, Jennifer Kertanis, Director, Brandon Robertson – Town Council Representative, and Maura Shea – Town Council Representative to the Farmington Valley Health District for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Alan Rosenberg as the Town's Municipal Agent for the Elderly for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Alan Rosenberg as the Town's Municipal Agent for the Veterans for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Stephen Hunt and appoint Ellen Retelle to the Wild & Scenic River Study Committee for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Lisa Seminara – Parent/Community Member,

Kathleen Randall – Parent/Community Member, Lori Stanczyc – Parent/Community Member, Debra Steremberg – Parent/Community Member, Susan Alexe – Youth Services Professional, Heather Toyen – School Representative, and Dr. Ann Perrault – School Representative, and Mark Rinaldo – Police Chief to the Youth Services Advisory Board for a two-year term to expire on December 31, 2019.

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

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

RESOLVED: That the Town Council re-appoint Jeffrey Macel, William Shea, Don Phelan, Christine Winter, Richard Kretz, Bernard Zahren and Jonathan Craig – Advisory Member and appoint Venkata Anupaju to the Avon Clean Energy Commission for a two-year term to expire on December 31, 2019.

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

XI. TOWN MANAGER’S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager reported on the Town-wide radio system project; we have the bids back, our consultant is working with Motorola to streamline our proposal and do some value engineering to get their prices more competitive, still at the staff level and expect perhaps in February but certainly during the budget process when we talk about capital projects and debt service it will be ready for discussion. He reported on the Fisher Meadows irrigation system; we are getting a bid package ready to go out; both Council and Board of Finance approved putting a \$100,000 assignment on Fund Balance for future capital items and use that as an offset to FY 19 capital budget for this project; he will come back to Council in late winter/early spring with a supplemental appropriation request for the \$100,000 so we can get rolling on this.

Misc. B: Construction Update: The Town Manager reported that STEAP will be coming off the update as that project is done; with Police Department improvements when the weather is favorable take Council on a walkthrough of all of the facilities (Police, Fire, Public Works); he is very proud of the work that Public Works did on the new storage building and a great example of how we do things; the project took a little bit longer but because we were the general contractor and did so much of the work with our existing staff and because the Director of Public Works is good on the procurement side and leverages suppliers we were able to get it done at a fraction of what a Kloter Farms structure would have been; the next step is to get into the patrol area and another capital appropriation will come through in FY 19 with a recommendation for \$300,000. He reported that we are working on Company #4; Fisher Meadows is on hold pending the weather; with road improvements we are looking at a list in preparation for pavement management starting this coming spring, we have some seed money available, equity of Fund 2 from last year; with trail improvement projects, the work was recently done and would like to try and include some additional funding in capital to keep that going in FY 19; with the Oak Bluff Pond dry hydrant we have regulatory approvals, appropriation, and now have Fuss and O’Neill finalizing a bid package to go out and we have been keeping in touch with two of the residents who are contacts in that area with how this is progressing. Mr. Stokesbury questioned the status on the easement process related to the dry hydrant. The Town Manager responded that the Town Planner has been working on it with no red flags. He reported that at the MH Rhodes property

there is earth material near the butler building from fill material that has come out from the sewer projects and we have some ideas with what to do with it and will get it cleaned up.

Misc. C: Ordinance Prohibiting Waste Associated with Natural Gas and Oil Extraction:

The Town Manager reported that there is non-profit advocacy group, Food and Water Watch, going around to various communities advocating the adoption of an ordinance that would prohibit the use of waste materials that were created through the fracking process; Glastonbury and Bloomfield have adopted it and West Hartford is in the process of looking at it. He noted that the Assistant to the Town Manager and Town Attorney are working on it; it was discussed with the Clean Energy Commission at their last meeting and did not take a position on it but something that for good or bad the Council should consider. He anticipates having something on the agenda for the February meeting for discussion. Mr. Stokesbury commented that it may fall under the jurisdiction of the Farmington Valley Health District if we can solicit their concerns and in a presentation to us asked if the Town Manager would focus on the current status – Connecticut law, limitations of that law, and any moratoriums, how long it is scheduled to be in place and the interplay between current Connecticut law and the request. The Town Manager noted that there are pre-emption issues that come up with this; we are talking about the use of fracking waste which can be in a lot of commodities that the Town buys, i.e. de-icing material from Cargill which we buy through cooperative bidding off a State bid or CRCOG joint purchasing process; part of the due diligence is making sure that if there is an interest in pursuing we are in compliance from the start or don't want to get into a position that we have to look at other products that potentially have additional expense associated with them or risk being in non-compliance with our ordinance or other side effects. Mr. Pena asked to find out how many other towns are addressing the issue. Christine Winter, 191 Cold Spring Road, Avon Clean Energy Commission member, responded that 33 to 35 towns have already passed the ordinance including two of the three towns where waste could be processed, they voted for the ban. Mr. Speich commented that this fracking material can be in other items that we may purchase which once we put the ordinance in place we could not buy and he questioned the harm to him for this material. Ms. Winter responded she is proposing to have Jennifer Siskin come to Council's February meeting to present and describe what the request is for and background. She noted that the fracking waste is generated mostly from the shale site in Pennsylvania and is the result of a mixture of up to 400 chemicals that are mixed with water and forced down into the ground a few miles and out and pulled back up with natural gas and the gas and those chemicals in water get separated out, the fracking materials get used over and over again until too sludgy to use effectively and have to be disposed of; of the 400 possible chemicals, 196 of them are identified and the majority are known carcinogens and the problem is there are another couple hundred ingredients which are not revealed because it is proprietary information so no way of testing for them because they do not know what is in there and leaves the potential for known carcinogens to be used in these products that could be used for construction fill, road salt, brownfield cover, etc. Mrs. Maguire thanked Ms. Winter for the explanation.

The Town Manager noted that we are continuing to parse the language on the transportation funding announcement from the State; we are very confident about the Old Farms Road Bridge not being affected but with LOTCIP he does not know what the prognosis looks like; we will be back with more.

Mr. Bernetich commented on the Town's radio system project and given all of the advances and technology that we have had we are going to go with Motorola and wondered if there is not something that is more cost efficient with perfect coverage. The Town Manager responded that you won't get perfect coverage but we did identify our coverage standards in the bid documents which is any vendor's responsibility to meet but the key is the platform, P-25, and is the standard that all communities that are looking at upgrading their radio systems are moving towards, it is the federal standard. He noted that he is on the E-9-1-1 Commission and there is nothing on the horizon that it appears will overtake that standard; we are looking at the state of the art, best system that can provide the best level of coverage for the Town. Mr. Bernetich responded that given all of the advances that we have had in technology, talk to his cousin in Ireland face to face, and we are still talking about radios and why a satellite or cellular solution would not be considered. He knows from being on the Fire Department that there are significant dead zones and the Police Department has issues and he does not want them to ever have to not be able to communicate. The Town Manager responded that we are always looking for a "think out of the box" solution and whether it is cell phones; on the computer side, we are moving from servers to virtual clouds and a lot of thought was given to do we need to be purchasing this kind of hardware as a best long-term solution and it is and the question about purchasing it is still in the air as you could enter into a long-term agreement paying x amount of dollars per year to a vendor and service you and keep you up to speed with the latest and greatest like an ongoing service agreement.

Mr. Speich requested, relative to the AMR response times, to see something for 2017 and 2016 on a total basis. The Town Manager responded that we will provide cumulative 2016 and 2017 calendar year basis and include all of the exceptions as under the contract they are allowed a certain amount of instances where they do not have to meet the requirement.

XII. EXECUTIVE SESSION: Pending Claim

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

RESOLVED: That the Town Council go into Executive Session at 9:01 p.m.

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

The Town Manager, Assistant to the Town Manager, and Town Clerk attended the session.

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

RESOLVED: That the Town Council come out of Executive Session at 9:06 p.m.

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

17/18-40 Possible Action on Item Discussed in Executive Session – Tree Cutting on Town Property

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

RESOLVED: The Town Manager be, and hereby is, authorized and directed to enter into a settlement with David and Connie Gordon with respect to tree cutting which took place on Town property in April 2017, and is further authorized and directed to effectuate such a settlement by signing the "Amendment to Settlement Agreement and Release."

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

XI. ADJOURN

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

RESOLVED: That the Town Council adjourn the meeting at 9:06 p.m.

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

Attest:

Ann L. Dearstyne, Town Clerk