

**AVON TOWN COUNCIL
MEETING MINUTES
June 3, 2021**

I. CALL TO ORDER

The meeting was called to order at 7:00 p.m. via GoToMeeting by Chairperson Maguire. Members present: Mrs. Maguire, Messrs: Bernetich, Speich, Polhamus, and Weber. A quorum was present.

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Maguire.

III. PUBLIC HEARING:

20/21-74 Neighborhood Assistance Act

The Public Hearing was called to order at 7:00 p.m. by Chairperson Maguire. Chairperson Maguire 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, June 3, 2021 at 7:00 p.m. in the Town Hall, Selectmen’s Chamber, 60 West Main Street, or virtually, for the following purpose:

To consider participation in the Neighborhood Assistance Act in
Accordance with Public Act 95-268

Dated at Avon, Connecticut this 7th day of May, 2021.

Brandon L. Robertson
Town Manager”

Chairperson Maguire reported that this program is designed to provide funding for municipal and tax exempt organizations by providing a corporation business tax credit for businesses that make cash contributions to these entities; businesses can receive a credit of 60% of their approved contribution to certain programs approved by the Department of Revenue Services; there may be people in attendance tonight who wish to speak to their proposal; and Councils’ only role is to be a conduit.

Jennifer Bennett, Senior Center Coordinator, Avon Senior Center, commented that their need came about because of COVID-19 and staying connected to our seniors and to increase their programming; social isolation in our older adult population was enormous and we want to increase social integration by adding computers for their use. Chairperson Maguire noted that Ms. Bennett has done a great job staying connected to our seniors, especially during the pandemic. Ms. Bennett expressed thanks to Council.

Jim Griffin, The Sam & Elizabeth Colt Industrial and Frontier Heritage Center, commented that they are optimistic about raising about \$1.4 million to renovate the two brownstones behind the

east armory; the \$150,000 requested through the NAA program will help to install new windows and a new roof for the two brownstones; the park service has been authorized to do the kiosk at the Colt site; and this could bring more educational tourism to Hartford versus rental occupancy. Chairperson Maguire wished Mr. Griffin well with their project.

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

RESOLVED: That the Town Council close the public hearing.

Mrs. Maguire, Messrs: Bernetich, Polhamus, Speich, and Weber voted in favor.

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

RESOLVED: That the Town Council approve the following programs for submittal to the Department of Revenue Services:

- a) Avon Senior Center - \$5,000.00
- b) Avon Volunteer Fire Department - \$60,000.00
- c) The Sam & Elizabeth Colt Industrial and Frontier Heritage Center (aka The Colt Heritage Center) - \$150,000.00
- d) Nutmeg Symphony Orchestra - \$64,460.00

Mrs. Maguire, Messrs: Polhamus, Bernetich, Weber, and Speich voted in favor.

IV. MINUTES OF PRECEDING MEETING: May 6, 2021

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

RESOLVED: That the Town Council accept the minutes of the May 6, 2021 Meeting as drafted.

Mrs. Maguire, Messrs: Speich, Polhamus, Weber, and Bernetich voted in favor.

V. COMMUNICATION FROM AUDIENCE

Julia Gordon, 31 Arlington Drive, commented that she attended the Town Council's August meeting at which time she requested support to paint a rainbow sidewalk at the Library and thought it would be easy to do as Simsbury and West Hartford have painted one; it is not a political statement or controversial issue, it is a sign of love, equality and acceptance; having this symbol by our Library where a lot of students go would go a long way in making all kids feel seen and accepted and something the community could create and paint together and see the finished product of; what she heard at that time from the Council was that they would like to support this initiative but there were two things getting in the way of which have left her with questions today. She was told that the Town Charter does not permit it; if this is true, can the Council amend the Town Charter? She asked why we want the future to be the same as it has been in the past; can we take the needs of all in this Town and rethink the way we have always done things? She was also told that if the Town Council approves a request like this for one group then they would feel they had to say yes to all groups that ask, but you don't; as our elected Town Council members we trust that you will make smart, informed and caring decisions and tell the difference between a sign that says "be kind" and one that says "be hateful," one that speaks the love, acceptance, and equality versus one that speaks hatred, violence, or division; it is easier to say you're staying neutral by avoiding a decision, she understands that, but when you have the opportunity to do better than neutral and stand for something positive, why wouldn't you? When she came before Council in August she didn't do so as part of any group or agenda, rather as a student who saw an opportunity to bring people together and create something meaningful as a show of support for all

in this Town; she hopes Council will revisit the request this evening, not just for June as it is Pride month but as something we can have year round to show what hundreds of lawn signs already say, that Avon Cares; thank you for your time. Chairperson Maguire noted that the Avon Cares signs are amazing. She thanked Ms. Gordon for her remarks and noted that Council is going to speak to this tonight; there has been a lot of thought and discussion regarding this topic. She noted that it is not part of the Town Charter and apologized for the misinformation; it is a past practice that the Town has stayed neutral and focused on Town government/meetings.

Carl Gisnarian, 29 Valley View Drive, shared concern regarding the speed limit on Waterville Road; he drives 45 MPH on it and is continuously passed along the double yellow line; he does not feel there is enough of a security presence while traveling this road and would like to see the Town make it more safe. Chairperson Maguire thanked Mr. Gisnarian for bringing this to their attention; we will ask the Avon Police Department to keep a closer watch; we have speed radar devices that can remind people that they are exceeding the speed limit and noted the rumble strips that were installed during the Old Farms Road bridge construction. The Town Manager will speak to the Director of Police Services about adding this road to the special attention list. Mr. Gisnarian noted about being willing to take photos of license plates of the individuals that pass him, but did not know the legality of that. Chairperson Maguire asked Mr. Gisnarian to send her and the Town Manager an e-mail regarding that inquiry and we will hopefully find a safe solution.

VI. COMMUNICATION FROM COUNCIL

Mr. Weber appreciates the audience we have in attendance tonight. He expressed thanks to the Avon Volunteer Fire Department and the Avon VFW regarding the Memorial Day event; it was a welcome sight after missing it last year; hearing our esteemed veterans speak was a great touch on a great day. He gave a shout out regarding the Avon Pride Family Picnic on Sunday, 6/13 at the Avon Congregational Church which shall be a wonderful afternoon of fellowship and community.

Mr. Polhamus also expressed thanks regarding the Memorial Day event; it was a great turnout and to honor those who have given their time and lives so that each of us enjoys the liberties we do is wonderful. He commented that he reached out to Julia Gordon last month and helped design the Avon Cares sign; the community support on this initiative has been incredible; after only two weeks there are over 400 signs in the ground; over \$5,000 has been raised for the Avon High School Student Equity Groups; it shows a community of love and acceptance; some voices of this movement come from our houses of worship, longtime residents, and teachers; many sharing stories/positive comments; a very rewarding feeling; it is important to continue to spread and support this movement; it is an emotionally charged topic which we cannot let divide us; our aim is to build a stronger, more resilient, more friendly, more accepting community; everyone on the Council has invested significant time to try and better your life and each member cares about this cause; there may be a small percentage of our Town with an intolerance but that is not true of anyone here; the sign campaign was born from discussions with myself and Chairperson Maguire who has been a helpful ally in getting the word out; tonight you will hear legitimate questions regarding neutrality versus a responsibility to ensure the well-being of our constituents; choosing one side or the other doesn't change the fact that each of us cares a great deal about the residents of Avon; let's have a good meeting and remember to be kind to our neighbors.

Mr. Speich commented it was great to see the Memorial Day parade again this year; the Avon VFW organizes the event, to whom he extended his appreciation; the event recognizes our war fighters who gave their lives for our freedom which allows us to have the discussions we have tonight. He mentioned the passing of Vic Mitchell, former member of the Avon Volunteer Fire Department (AVFD), who was 100 years old, a retired Deputy Chief from the past West Avon Volunteer Fire Department, one of the founders of FAVRAH, a humble milkman and worked as a school bus driver, and his son, son-in-law, daughter, and two grandchildren are in the AVFD. He appreciates the people who came out to vote at the budget referendum, all 525 voters, 198 Yes, 327 No, 3.9% of eligible voters; may have had to do with COVID-19, but absentee ballots were available and there was plenty of advertisement about the referendum; similar towns had similar participation rates. He noted that in general Town staff does a great job and the Town is run very efficiently but it may be worth a look again at how we spend our money, perhaps utilizing more shared services with the Board of Education or even other towns, perhaps reducing some services, and he suggested a discussion at a future Council meeting.

Chairperson Maguire noted that the first bike ride took place on May 7th which was a lot of fun and a great turnout; another one is planned for tomorrow evening; Bike Walk Avon submitted an application to be recognized as a Bicycle Friendly Community and received an honorable mention, we will reapply in February 2022; the group has a new web site as well. She received an update from Haleigh Guerrera with Avon Greater Together Community Funds Advisory Committee who reported that they have received seventeen applications which will be scored and a decision made by July 20th with a grant start date of August 1st. She noted that it was great to see everyone at the Memorial Day parade and thanks to all who pulled it together. She reported that she stopped by the Library to view the geothermal construction which is nearing completion. She noted that Avon High School's Boys' Tennis won the CIAC Class M State Championship and Jack Martin, an Avon High School junior, came in first place at the 800 meters, the 1,600, and the 3,200 at the Class MM Track and Field Championship yesterday; kudos to our sports teams and all of our athletes. She recognized the Garden Club of Avon for their plantings at the Veterans Memorial on the Town Green as well as around the Town Hall campus.

VII. OLD BUSINESS

20/21-24 Appointment: Central Regional Tourism District (12/31/2021)

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

RESOLVED: That the Town Council table agenda item 20/21-24 Appointment: Central Regional Tourism District (12/31/2021) to the July 29, 2021 meeting.

Mrs. Maguire, Messrs: Bernetich, Weber, Speich, and Polhamus voted in favor.

VIII. NEW BUSINESS

20/21-81 Buffering for Lights at AHS Synthetic Turf Field and Track

a. Supplemental Appropriation, \$60,000

Chairperson Maguire noted that Matt Brown, Assistant Town Engineer, has been working on a plan regarding the buffering. She added that there was an original plan after the turf field was installed, but upon installation of the lights we wanted to look at the buffering again with Town

and Avon High School staff; Mr. Brown has talked to all of the neighbors and came up with a revised plan.

Matt Brown, Town Engineer, reviewed the proposed plan, some of which has already been implemented including grading and seeding; the remaining part of the plan consists of eighty trees and seventy feet of stockade fence. He spoke to all of the neighbors and tried to take in all of their input and came up this plan. He noted that fourteen trees were installed at 529 West Avon Road which were cut down due to a water project and of the remaining sixty-six trees, thirty-three will be installed at the southern part of the field and another thirty-three will wrap around the ball field backstop to 24 Sudbury Way; stockade fence runs to the east along 28 Sudbury Way, not necessarily buffering the lights but consideration by being good neighbors and avoid the sight of the athletic teams' storage containers. He noted that the trees will be giant arborvitaes, 50-60' tall, installed at approximate 6-7' height which should grow 2-5' per year once established with an extension of the irrigation system on the high school property. In response to a question from Mr. Speich, Mr. Brown responded that the trees at 529 West Avon Road will be maintained by the property owner; the trees on school property will be maintained by the Board of Education; the irrigation system details would be better addressed by Myles Altimus, Director of Operations; and the fencing will be maintained by the owners at 28 Sudbury Way. Mr. Speich noted that he was glad to see the Board of Education contributing \$10,000. In response to a question from Chairperson Maguire, Mr. Brown responded that once the financing is approved, it would be a fall planting project of which we will need to rebid as it may be difficult to get the trees from one source at the end of the season. Chairperson Maguire thanked Mr. Brown for his time, it is a great plan, will make a big difference and complete the look of the fields. She added that Mr. Brown does these designs in-house in great details and does a wonderful job.

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

RESOLVED: That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed \$60,000.00 from Capital Projects Fund (Facil & Equip), Other Financing Sources, Unassigned Fund Balance, Account #02-0390-43913, to Capital Projects Fund (Facil & Equip), Town CIP-Facilities, Synthetic Field Project, Account #02-4829-53052 for the purpose of using bond premium received in the fiscal year ended June 30, 2020 to install buffering for lights installed at the AHS synthetic field and track.

Mrs. Maguire, Messrs: Speich, Weber, Polhamus, and Bernetich voted in favor.

20/21-82 Review and Discussion: Addition of Softball Field at Sperry Park

Chairperson Maguire reported that she met with Avon Little League board members and Town staff at Sperry Park a few weeks ago; this would be a great addition to Sperry Park. She introduced Mark Massaro, President of Avon Little League.

Mark Massaro, President, Avon Little League, thanked the Town Council for allowing them this time this evening. He recognized other Board members also in attendance: Wayne Bartolucci-Vice-President/Softball, Matt Smith-Vice-President/Baseball, Rayna Banks-Softball Coach, and Lorenzo Lamadrid. He noted that they have had softball in the league for more than ten years; the program was small in numbers at that time and because of that they lost two fields at Fisher Meadows that were redeveloped into soccer fields; over the last several years through the Board's dedication, softball numbers are gradually growing again, creating excitement with a very

competitive and cost effective program from age 4 to 14; the numbers continue to grow in the League with over 75 softball players; with a better facility that number will be larger; the girls don't have the excitement the boys have at Sperry Park; Sperry Park is family oriented once you are involved. He added that the girls play at Fisher Meadows and he appreciates the Town redoing one of the fields there and adding some to that, but they are situationally separated without all of the facilities that the boys have, i.e. PA system, snack shack, batting cages, the lights, etc. He noted that they have teams that have played together and we continue to hope to grow that and be a feeder program for Avon High School; they have done it on the baseball side, watching the boys go to the State tournament and after they played little league in our program. He added that the Board wants to make it an inclusive community and have the ability to have the girls at Sperry Park and enjoy the benefits that the boys currently do. He noted that there is no Middle School baseball or softball so in order not to lose players we now have Junior Baseball and Junior Softball. He added that the League has invested over \$30,000 at Sperry Park over the last few years on two infields on the main fields, installed a new storage unit with PA system, new backstop and safety netting, and on and on. He noted that they are willing to go out and raise the funds for this ball field but looking for permission from the Town, Town Council, and the Board of Education to get underway. He added that sponsors come back every year sponsoring banners and teams; T-Mobile has provided free streaming service at one of the current ball fields; tonight was the first game doing so and out-of-state family is able to spectate virtually. He added that they constantly look for partnerships and sponsorships where they can; the program has a significant reputation of being well run; they have reached out to their softball/baseball community and have more than two dozen letters of support to move forward with this program and have had many in-person conversations when present at Sperry Park for games. Mr. Massaro noted that the request being made tonight is to build a regulation baseball field and convert an existing baseball field to a softball field. He added that a portable mound could be installed but they would lose a field for baseball use and baseball numbers continue to grow, being fully subscribed from ages 4 to 10; we need another field to maintain the numbers we have. He thanked Mr. Brown for laying out the design and who has also been a tremendous amount of help to the League.

Matt Brown, Assistant Town Engineer, reviewed the proposed plan for the additional ball field. He noted the proposed additional parking, restroom area, cul-de-sac being removed, and there will be a connected driveway over to the Board of Education to allow for overflow parking. He added that the new field would be regulation size, 200' with batting cages on each side of the field along with a bullpen so each team can practice, an announcer's box and everything within close proximity of the press box. He noted a property line could be added in the future in the event the Board of Education was to move to a different location and their commercial parcel was placed on the market.

Mr. Polhamus inquired about regulations for use at Sperry Park. The Town Manager responded that where the existing fields are and to the south was deeded to the Town many decades ago and there are restrictive covenants that require it to be used for recreational purposes; this action would require approval by the Planning & Zoning Commission. The Town Manager added that tonight we are looking for Council to approve the concept and we can continue to move forward with the Little League and develop drawings to present to Planning & Zoning Commission for site plan approval. The Town Manager inquired if the new field will require lighting at some point and conduit and wiring for light poles will be included. Mr. Massaro responded yes; it would be LED lighting with very little lighting intrusion; pole heights will likely not be as high as the Avon High

School football field; there are lights on the other two existing fields with very little push back from the neighbors along the trail.

Matt Smith, Little League Board Member, echoed Mr. Massaro's comments and thanked the Council for hearing their ideas. He added that Sperry Park is a great asset and place for the Avon community. He has been involved with Little League Baseball for sixteen years, nine of which have been spent in Avon. He noted that trying to get the girls to experience all the wonderful things that Sperry Park has to offer and to have the entire league in this area is a real benefit; today that area is full of two to three generations of families supporting and watching the kids; it is a real positive place and they would like to get all of their players into this area; numbers are strong; need more fields in general; and they will look and work real hard to raise money to build a field and appreciate the opportunity to use this parcel of land.

Mr. Speich expressed that he fully supports the field; it is an excellently run organization. In response to a question from Mr. Speich, the Town Manager responded that in-kind services will include design services, primarily the time spent by Mr. Brown in our Engineering Department; at some point the question may come up about Public Works providing in-kind services but does not know yet what they might entail; we are always happy to help as long as Council is in agreement and we have enough time to plan in whatever other activities are on the work schedule. Mr. Speich wants to make sure that between the fundraising from the Little League and in-kind services from the Town that there will be a plan to get it done effectively.

Mr. Weber thanked Mr. Massaro and Mr. Smith for their time and being the catalyst for this project. He noted that his own children benefited from Sperry Park for many years and could not think of a better place to highlight and promote and whatever Council can do to push this forward is a great thing. He thanked the Little League for their service to the community and looks forward to watching this unfold.

Chairperson Maguire echoed sentiments already expressed and thanked the Avon Little League for bringing this forward; it is an area of Town that we have invested a lot of resources; we have the sidewalks that were installed through the STEAP grant, Whole Foods is coming online soon at the Avon Village Center, and there has been an investment in our trails and increased activity with Bike Walk Avon so an expansion at Sperry Park seems to fit that area perfectly; she supports this and appreciates that Avon Little League is willing to take on the fundraising aspect; there are no capital dollars present at this point but we can work with them on the in-kind services.

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

RESOLVED: That the Town Council authorizes the Avon Little League to proceed with the addition of a new baseball field at Sperry Park.

Mrs. Maguire, Messrs: Speich, Polhamus, Weber, and Bernetich voted in favor.

20/21-83 Proclamation: LGBTQ+ Pride Month and Flag Display

Chairperson Maguire read aloud the following proclamation.

On a motion made by Mr. Polhamus, seconded by Mr. Weber, it was voted:

WHEREAS, the Town of Avon cherishes the value and dignity of each person and appreciates the importance of equality and freedom, and;

WHEREAS, all are welcome to live, work, and play in the Town of Avon and every family, in any shape, deserves a place to call home where they are safe, happy and supported by friends and neighbors, and;

WHEREAS, the Town of Avon denounces prejudice and discrimination based on age, gender identity, gender expression, race, color, religion, marital status, national origin, sexual orientation, or physical attributes as an affront to our fundamental principles, and;

WHEREAS, the month of June was chosen for LGBTQ+ Pride Month to commemorate the anniversary of the Stonewall Uprising, which occurred in June 1969 and became a catalyst for the modern LGBTQ+ rights movement in the United States, and;

WHEREAS, the Town of Avon, recognizes, appreciates, and encourages the cultural, civic, academic, artistic, and economic contributions of the Lesbian, Gay, Bisexual, Transgender, Queer, plus (LGBTQ+) community which strengthen our social welfare, and;

WHEREAS, it is imperative that all members of our community, but most especially our young people, feel valued, safe, empowered, and supported by their peers and community leaders, regardless of sexual orientation, gender identity, or expression, and;

WHEREAS, the Town of Avon affirms our support for our LGBTQ+ residents and their allies and stand with them to protect their civil rights and their ability to live openly and without fear.

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Avon hereby declares the month of June 2021 as LGBTQ+ Pride Month in the Town of Avon and urges residents to recognize the contributions made by members of the LGBTQ+ community and to actively promote the principles of equality, liberty and justice in our society.

Mrs. Maguire, Messrs: Bernetich, Weber, Speich, and Polhamus voted in favor.

Chairperson Maguire noted they are very impactful words that were said and hope that all in the community really hears them as they are very meaningful and for many it really strikes a chord. She reported that the conversation has always been that the Town of Avon doesn't put anything out except for government information, Town meetings, upcoming votes, summer camp programs, things that pertain to the business of government because the Town believes it needs to remain neutral. She noted that we have Al Smith, Town Attorney, present to give us insight and experience on this topic and others as far as postings on Town property.

Al Smith, Town Attorney, provided information regarding use of government property for speech, specifically for use of the Town flag poles but it would apply to any public property. He explained that whenever government speaks or provides a forum or platform for non-governmental individuals or groups to speak there are constitutional legal issues involved, very complex and serious ones; free speech has always been critically important to our society; the issues around it are highly charged, opinions strongly held and often subject to litigation, as society changes our tolerance for some things increase or decrease. He noted that the threshold issues are who is speaking and where are they speaking; individuals/groups speaking on public property are subject to the first amendment of the Constitution as a public forum has been provided; government can control times and places but cannot limit the content of the speech; however if the government itself is speaking through its Town Council in this case it is not subject to the first amendment and the government has more leeway to regulate the content of the speech, what is called the equal protection clause of the Constitution. He noted that many governments/municipalities including those in Connecticut fashion their requirements through policies designed to make the case that it

is government speech versus individual speech; their firm has developed a number of policies in that area, including one for Manchester and South Windsor; as a result it would not be subject to the first amendment and can impose content based restrictions within broader limits than under the first amendment. He noted that no policy regardless of how well it is written is immune from challenge; the law is not about serving popular points of view, rather to protect unpopular opinions and there are groups that actively look for opportunities to challenge any restrictions on speech, for example, the Sons of Confederate Veterans show up in cases all over the country; in Virginia, they wanted to raise the confederate flag on municipal flag poles; the city did not have a policy but had a past practice for not allowing any non-governmental flags on their flag poles and the court said that was okay as long as they were consistent, however if you make an exception it opens the door to claims under the equal protection clause and subject to challenge; one of the issues with litigation is that even when you win, you lose; you can have a strong case but have to defend it which can cost a lot of time and money. He noted that one way to think about how to go forward is about risk tolerance; how do you want to balance the benefits associated with encouraging positive messaging against the risk of having to defend decisions to provide or deny access to less positive messages; there will come a time when an individual or group that is very unpopular and foster strong negative emotions will want the same access as the popular messages.

Mr. Polhamus inquired how recent the policies that Attorney Smith referenced were drafted. Mr. Smith responded within the last six months and they have not been challenged as of yet. In response to a question from Mr. Polhamus, Attorney Smith responded that he was not aware of any other policies in the State that have been challenged. In response to a question from Mr. Polhamus, Attorney Smith responded that the policies they drafted pertained to flag poles, but the same logic and legal principles would apply to any public property that has not previously been used as a public forum; once you allow individuals to express their opinions on public property it becomes a public forum and subject to the first amendment.

Mr. Weber questioned that when government speaks and takes on the equal protection clause can it impose content restrictions? Attorney Smith responded that it can; you would need a rational basis for distinguishing between viewpoints. Mr. Weber inquired about the downside to leaving the authority of such a policy or the final decision of such policy with the Town Council if it was on government property. Attorney Smith responded that if the Town Council acts on its own initiative, clearly government speech, and accepts applications from individuals/groups to fly non-governmental flags you are getting close to the first amendment; there is no bright line between government speech and individual speech; the policies that are written are done so to try to assure that courts will look at it as government speech and the proposals originate with the Town Council rather than having the Town Council act as a judge of applications submitted by individuals. Mr. Weber commented to look at it rather as a motion that a person on the Town Council proposes and therefore when acted upon by a majority of the Town Council would be a clear line for government speech and that is a decision made by the Town Council under the authority granted to it by the people and residents of the Town of Avon. Attorney Smith responded that is correct.

Mr. Bernetich inquired if the policy shall be for all or nothing. Attorney Smith responded that all or nothing is the first amendment; he would refer to it as most of them; if the Town Council has control of the process you can successfully defend a decision to exclude hateful speech however it is defined; however, if you successfully defend it in court, it does not mean you won't have to

spend time and effort defending it and other emotional and political resources are also at stake; internally that can be very contentious.

Chairperson Maguire commented that Attorney Smith has answered a lot of questions and gives Council a lot to think about; it was very helpful. She referenced South Windsor and Manchester and would like Avon to look at something that we can get up and running to allow the opportunity for government speech; she asked the Town Manager to work with the Town Attorney on a policy to share at an upcoming Council meeting. She recognized the thoughtful and mindful emails that were received by the Town Council. She made the following remarks: This was never about the cause; the cause is one that I believe we all wholeheartedly support; it was about the Town's longstanding practice to remain neutral and not to be a billboard for every cause both those that we may agree with and those that we do not; Town property would advertise and promote only Town related activity and meetings; tonight we are looking at a change; the outpouring of support for the acknowledgement of Pride month is strong as can be seen from the beautiful signs that are blanketing the towns of Avon, Canton, Simsbury, and Farmington; the need for those that may feel alone in their identity should know that the Town of Avon supports them; let me very clear, this should not be about politics or party, this is about people and inclusive; the Library is a community building, a place for all members of our community, a place for learning and expression; with that she would like to encourage you as we did last year to talk with Glenn Grube, our Library Director, as we look towards to other methods of showing support for our LGBTQ+ community; as many students have expressed a desire for more, I look toward and point them in the direction of the Board of Education for a possible mural or painting at the Avon High School or Avon Middle School. She made the motion below, reaffirming what we already know, that Avon is a kind, welcoming community.

Mr. Polhamus thanked all the residents who wrote in concerning this topic and requested that their letters be included as part of the meeting record (which are attached and made part of these minutes). He noted that as Robin Baran pointed out in her letter that our Town Charter states that the Town Council shall have the duties and the powers to provide for the preservation of good order, peace, health and safety of the Town and its inhabitants. He noted that as Jackie Paul pointed out, LGBTQ youth are almost five times as likely to have attempted suicide ergo heterosexual youth and in a national study 40% of transgender adults reported having made a suicide attempt with 92% of those individuals reported having attempted suicide before they come out. He noted that in making our home a more accepting place for LGBTQ children what do we have to lose; in taking up a side of acceptance, isn't it okay to say that intolerance is not welcome in Avon; we are opening ourselves up to risk of lawsuit but one that we can win; it is a risk worthy of standing up to for human rights and for doing the right thing by our fellow man; we have the potential to save lives by doing this, an easy choice for him, and we have to act on this. He knows this is not an easy choice for Chairperson Maguire. Chairperson Maguire responded that it was an easy choice because reading the letters and knowing people in this community; she has a guest coming this weekend in the LGBTQ community and thinks that he is going to be so excited about seeing the signs all over the Town of Avon and he will be welcomed and accepted in her home and welcomed and accepted in our Town. She added that we are making a decision that is a big change for us; the first time that we will fly a flag that is not one of the State, the United States, or Prisoners of War; it is a big step, but needed, and the right thing. She noted that the thought of losses is a troubling thing but so much good comes from this. Mr. Polhamus commented that neutrality is silenced now and our silences are exasperated by having the proactive neighbors that we do. He

has had so many parents show up at his door in tears; it is amazing; they are going to be thrilled with this. He likes the idea of a permanent installation at the school. He closed by stating that this is the time for us to enact and act boldly and looking out for the safety and well-being of our residents and can celebrate diversity, tolerance and acceptance.

Mr. Bernetich commented that it seems we are moving fast on this. He would prefer to hold off until the Town Manager and Town Council has time to further review and discuss the long term effects and allow us to review the Town Attorney's remarks. He realizes that when he votes no, he will be labeled as hateful and bigoted with questionable intelligence, quoting some of the e-mails that Town Council members received from residents. He has been a volunteer for fourteen years and is being mindful of what could happen. He stated that if he votes yes, then it could change a longstanding position of keeping politics and special interest groups out of publicly owned places and doesn't find that to be a bad position given the number of groups who will hop on this opportunity to put up some kind of display, either a flag or mural. He would vote against any group trying to use a public space for their message; this is not an anti-LGBTQ+ vote; it is his opinion that allowing a group to use a public space will open the door for other groups to do the same; he foresees significant issues in the future by doing so; currently there are people who are laser focused on this one issue and as a member of the Town Council it is his responsibility to look at the big picture and long-term ramifications to the Town.

Mr. Speich recognized the amazing participation and togetherness that the Avon Cares campaign has brought out in our Town; it is something we can all be proud of; and congratulations and thank you to the organizers and participants as he has never seen so many signs in our Town; it is a worthy cause. He supports LGBTQ+ pride rights movement in our Avon community. He noted that tonight we are here to discuss the display of the pride flag on the Town flag pole where we have only displayed the flags of the United States, the State, and POW-MIA. His opinion is that the Town or municipality should maintain its intent in neutrality in order to maintain fairness, freedom to all opinions, lifestyles and beliefs of our residents; we just celebrated Memorial Day recognizing those who died to provide us that right; do you want the Town Council deciding on who and what gets displayed; he cannot see us moving forward without a policy and would like to see a policy come forward that we can discuss and ratify before anything would happen. He looks at himself as a steward of the Town and always does what is right and the best for the Town, in his opinion, and the Town's 18,000+ residents; some people have turned this into a political issue which does our Town no good and it only divides us.

Mr. Weber thanked Council members for the conversation that they have had; he echoed Mr. Polhamus' sentiments; he also respects the positions of Mr. Bernetich and Mr. Speich on this. He noted that a year ago when Julia Gordon came to us and took the brave step and speaking to the Town Council about an idea she had, whenever a child gets inspired and feels like they want to take actionable change, as adults the best we can do is support them, love them, and accept what they are doing and unfortunately we did not get to do that last year. He added that this is a chance for a redo; it is a sensitive topic but for him it is not; this is an easy decision for him; the Town of Avon is made up of we the people; we are the Town of Avon and the residents have elected us to make decisions in the best interest of the Town; he welcomes the discussion; we are healthier as a Town by having this discussion; for us to be able to highlight and promote members of our community who may not feel as accepted as they should be, flying a pride flag shows solidarity

and togetherness that to him is what Avon is about; he will gladly join and support this resolution and he looks forward to seeing the Pride flag being flown.

Chairperson Maguire stated that as always the Town Council is respectful of each other's ideas; we come from different places, different experiences, and are at different stages in our lives and ages; we all bring something very unique to the table and we have great conversations, even virtually. She added that we have a lot of work still ahead of us on many fronts; we need to have policy established as soon as possible but it is Pride month now.

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

RESOLVED: That the Town Council hereby approves the display of the pride flag on the flag pole located at the Avon Free Public Library. The pride flag shall be displayed for the month of June in recognition of LGBTQ+ Pride Month. This flag pole is not intended to serve as a forum for free expression by the public. Rather, the flag pole is a non-public form for the display of flags authorized by the Town Council as an expression of the Town's official sentiments which shall constitute the Town government's speech.

Mrs. Maguire, Messrs: Weber and Polhamus voted in favor. Messrs: Bernetich and Speich voted no. Motion passed: 3-2-0.

Chairperson Maguire will reach out to the Town Manager to schedule a date and time for the flag raising which will be shared with the community. She noted that the proclamation will be read at the Pride picnic on June 13th. She appreciates the audience in attendance regarding this topic. She welcomed any questions or comments from the audience.

Donna Gianini, 5 Butternut Circle, expressed thanks to the Town Council for their time and energy regarding this important issue, and Julia Gordon and Mr. Polhamus for their tremendous work with all of this. Her comments are in memory of her gay son, Michael Gianini. She noted that from her experience this is so important that there is visible support and acceptance in schools and in a community; the safety and well-being of our LGBTQ+ youth is at risk; yes, progress has been made over the last decade but so much more has to be done which requires leadership and courage by community leaders and witnessing that courage tonight for which she is very grateful. She added that Avon is a wonderful town but has been in the closet, been neutral and it is about time we come out and fly the flag; do not underestimate the power of those symbols especially in support of basic human rights like this issue; we should have been a visible welcoming community long before this; you are all very intelligent people who have been elected to make tough decisions, to take risks and to deal with challenges and she recognizes that is very difficult at times but it is also critically important; if other towns have been able to find a way to come up with guidelines, then why not Avon. Thank you. Chairperson expressed condolences and prayers for her loss.

Wendy Haller, 20 Red Mountain Lane, thanked the Town Council for passing the raising of the flag. She stated that she is a 14-year resident of Avon, her son is gay, her daughter is bisexual, her husband is straight; we are one family of a town around 7,000 families per the most recent census; both of her children grew up in Avon attending Roaring Brook, Thompson Brook, Avon Middle School, and now Avon High School with her son graduating one week from today; when her son was in 8th grade he was given a final English assignment to write a commencement speech and read it in front of his class, "My Son Came Out" to his teacher and all of his peers, a safe space to share this very private thing he had been hiding and struggling with; words spread

quickly about his proclamation; that night he posted on his Instagram account “I am gay”; the outpouring support from his peers was so overwhelming and she as an older generation had so much fear about the response; she was proud of his courage; his peers surrounded him with love and support as did so many of their parents who had known her son since preschool; her and her husband already knew he was gay and when he came out to them he was terrified for her husband’s reaction, who said to their son, “all I want for you is to find love, experience love, and be loved; it doesn’t matter who it is with.” Her son’s fear was his father’s reaction, her fear was the reaction of her peers and older friends and family members, especially her father who is a born again Christian and does not agree with that lifestyle but when she read her son’s essay to him his heart softened and his own beliefs were put aside to accept his grandson for who he is because of love; love is love; acceptance is accepting everyone without judgement; being gay is just one aspect of the whole of someone; I am white, I am of Portuguese and Irish descent, I am straight, I live with anxiety on a daily basis, I am a wife, mother, friend, school teacher, a member of this community who will accept all of you without judgement and with love and kindness; society always talked about the next generation as the ones to help our world but what about us; don’t we need to lead by example for them; a wonderful 4th grade teacher at Roaring Brook School told her son’s class, “how boring the whole world would be if we were all the same?” Isn’t it amazing that we are all unique and we are all individuals and we all get to be together? She has a sign on her lawn that says Avon Cares; after 14 years of living in this community she has learned the residents of this town care; care for one another, whenever someone needs a helping hand, a meal train, donation for fundraisers, etc. they are always there. She asked the members of our community, our elected Town Council, while appreciating the raising of the flag, to set a precedent, show your pride for every member for every 7,000 households in our amazing town; allow us to show Avon and all the surrounding towns that Avon Cares; allow us to paint a mural at the Library, hang our flags and display ourselves in acceptance and in love, let us show our pride, let’s put fear aside; let us show our pride for that young Avon resident as they are walking up to our Library that we love and accept them just as they are. Thank you. Chairperson Maguire expressed thanks to Ms. Haller for sharing.

Maggie Anderson-Murphy, 15 Saw Mill Lane, expressed thanks for the good work that Council does; she has lived in Avon for 31 years and is a mom of two rainbow children. She thanked Council for the brave step they took tonight and while she can appreciate the need to balance the Town’s need to stay neutral and avoid lawsuits, flying that flag at the Library and the effect it can have on the middle school and high school students and their lives and their self-esteem, it is clear where the balance would go. She appreciates the time and energy to make this happen. Chairperson Maguire expressed appreciation for her support.

Jim McGarrah, 10 Sylvan Street, commented that he is a 19-year resident of Avon; he and his husband moved here for a personal decision to leave big city life and came to a community that was at the worst neutral from their perspective; seeing this happen now is an amazing progress point; everyone has been incredibly positive about that and he is incredibly appreciative about that as a member of the community on the older generation side; it is important for young people too since in this day and age it still happens that people think it is okay to use denigrating comments in public about people they perceive as different; this experience happened to him a few years ago and he spent weeks agonizing over that experience and took him a long time to confront the gentleman who made the same comment every week; this is still happening in this world, our kids need the support that they can get wherever they can get it, and the Town standing up and doing

something like this is going to help our future generation not to live through that because there is still work to be done. Chairperson Maguire expressed thanks for his comments.

Robin Baran, 182 Woodford Hills, noted that she already submitted a letter to the Town Council on this topic, but added that she has attended every Planning and Zoning Commission meeting since January 2018 and most Inland Wetlands Commission meetings and she knows those commissions abide to regulations. She knows that is what the people who voted against this are worried about and wanted to reiterate that the Town Council portion of the Town Charter says that it is to provide for the preservation of good order, peace, health and safety of the Town and its inhabitants. She feels that this is a public health issue. She has a freshman in high school, a 7th grade at the Middle School, and also a 3rd grade daughter who is aware of her friend who has same sex parents and what her fellow 9-year old goes through on the playground. She hopes Council will take further action than having a flag raised for one month which she applauds, but something more permanent for our children and to recognize it is 2021, this is a public health issue; it's just a sidewalk, it's just a mural. Chairperson Maguire expressed thanks for her comments.

Chairperson Maguire expressed thanks to all who spoke; this was a very moving meeting and moving conversation with the community. She would like to see more of these conversations, it was helpful and may be something we can look to do at the Library. Glenn Grube, Library Director, appreciates everything everyone said; he had the opportunity to speak with Julia Gordon and her mother last year regarding the idea of the crosswalk; he encourages anyone who would like to see more LGBTQ programming or events at the Library to reach out to him or their staff; we serve everyone in the community; he is proud that the Pride flag will be at the Library this month. He expressed thanks to the Council for their thoughtful deliberation, their decision, and thank you to everyone who spoke today.

20/21-84 Contract Recommendation: Replacement of Bridge #004-012 Cider Brook Road Over Cider Brook

Chairperson Maguire noted that this project is eligible for 50% reimbursement of all project costs through the DOT Local Bridge Program. Larry Baril, Town Engineer, reported that this project has been on the docket for many years and we were fortunate to get it into the State's Local Bridge Program for 50% reimbursement which includes construction and design costs. In response to a question from Mr. Speich, Mr. Baril responded that the project may incur extra costs only if there are conditions on the site that were not as described or shown on the plan that would then require a change order. Mr. Baril added that there were a lot of bid items for this project; contractors stack money in different places depending on where those items fall within the job to manage their cash flow. In response to a question from Mr. Speich, Mr. Baril responded that we pay the contractor on a monthly basis, based on percent complete, and this project is within our budget.

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

RESOLVED: That the Town Council award a contract to Dayton Construction Company, Inc. of Watertown, CT in an amount not to exceed \$757,323 which includes the low bid of \$688,475 plus a 10% contingency, for replacement of Bridge #004-012 Cider Brook Road over Cider Brook. Mrs. Maguire, Messrs: Bernetich, Weber, Speich, and Polhamus voted in favor.

20/21-85 Contract Recommendation: Riverdale Farms Sanitary Sewer Pump Station Upgrades

Larry Baril, Town Engineer, reported that the pump station is over thirty years old and was originally built by Silvio Brighenti solely to handle Riverdale Farms; the Town took it over as we wanted to add flows into the pump station; it needs some upgrades, including three-phase power versus single-phase currently, we currently experience clogs on a semi-regular basis and the pumps have already been replaced once.

On a motion made by Mr. Polhamus, seconded by Mr. Weber, it was voted:

RESOLVED: That the Town Council award a contract to Kovacs Construction Corporation of Oxford, CT in an amount not to exceed \$250,633, for Riverdale Farms Sanitary Sewer Pump Station Upgrades.

Mrs. Maguire, Messrs: Bernetich, Speich, Polhamus, and Weber voted in favor.

20/21-86 Supplemental Appropriation: Inspection Services for Avon Village Center, \$2,500

Chairperson Maguire noted that this is for the costs of the independent construction inspector working on the Avon Village Center Project on the Town's behalf.

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

RESOLVED: That the Town Council hereby recommends that the Board of Finance amend the FY 20/21 Budget by increasing:

REVENUES

CNREF, Other Local Revenues, Refunds & Reimbursements, Account #03-0360-43612 in the amount of \$2,500.00. and increasing

APPROPRIATIONS

CNREF, Avon Village Center, Service & Consultant, Account #03-4858-52184 in the amount of \$2,500.00, for the purpose of paying independent inspections services.

Mrs. Maguire, Messrs: Speich, Polhamus, Weber, and Bernetich voted in favor.

20/21-87 Sign Tax Warrant (Rate Bill)

Chairperson Maguire reported that Council needs to sign the Tax Warrant/Rate Bill; the mill rate has already been set by the Board of Finance. Council members will need to stop into Town Hall to sign the Tax Warrant/Rate Bill.

20/21-88 Approval of Real Estate Tax Refund, \$39,435.30

Chairperson Maguire noted that this refund is a result of a court stipulated judgement. In response to a question from Mr. Speich, the Town Manager responded that it was part of a pre-trial conference with the judge which resulted from an increase in the value of the property that the Assessor assessed as part of the last revaluation process; the net result is that the assessment for this property reverted to the prior assessment before the revaluation. In response to a question from Mr. Speich, the Town Manager responded that this matter did go before the Board of Assessment Appeals.

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

RESOLVED: That the Town Council approve a real estate tax refund to Two Fifty Five West Main LLC in the amount of \$39,435.20.

Mrs. Maguire, Messrs: Speich, Polhamus, Bernetch, and Weber voted in favor.

IX. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Assistant Town Manager highlighted that Council has received a copy of the Town's Master Contracts List; Printing Services work has been awarded to Goulet Printing Inc. who we have worked with in the past; a staff team has been put together for the implementation of the permit tracking system for the Building Department and Engineering; yesterday was the deadline for Request for Information for the AVFD Facilities & Apparatus Master Plan and next we will review the results; the EV Charging Station RFP is taking a different direction; Green Bank for the Solar MAP program is moving along; and we are going out for an RFP for Bond Counsel as Day Pitney has advised the Town they will no longer be providing this service. The Town Manager noted that the Town has had a long standing relationship with Day Pitney, over 20 years, we had a change in counsel a few months ago and they decided not to do business any longer with municipalities. In response to a question from Mr. Speich, the Assistant Town Manager responded that regarding the EV Charging Station we were looking for a company to lease the space from the Town, install one, maintain and own it; we were advised by our Town Attorney that there are very few companies that do what we're looking for and suggested reaching out directly to the companies prior to issuing an RFP.

Misc. B: Construction Update: The Town Manager noted that he will share some photos with Council regarding the Police Department Improvements; paving projects are underway; waiting for Commitment to Fund Letter for east-west portion of Old Farms Road Project; Library Geothermal System Replacement Project is moving along and is timely as the Library is typically a cooling center during the summer, there shall be a positive balance in that capital account, and system commissioning will be completed using \$25,000 of the balance; turf field lighting is up and running, next step is buffering appropriation approval from the Board of Finance at the end of the month; and Board of Education projects are underway. He added that regarding the Public Safety Communication System Project, we are still working on details regarding the Huckleberry Hill lease; Council could possibly hold a special meeting in July with a Public Hearing in September.

He noted that Matt Brown, Assistant Town Manager, is a very valuable resource in the Engineering Department, reflecting on his work with the Avon Little League and the AHS Turf Field buffering.

Misc. C: Department Staffing and Operations: The Town Manager noted there are several staffing changes including the Police Department, Building Department, Assessor's Office, and Accounting Department. He noted that the area with the most concern is the Building Department as we continue to receive feedback regarding the backlog in permits and inspections; contractors and suppliers are busy; this impacts us positively with permit revenues much higher than anticipated, but along with that goes a higher level of activity which we were not staffed for.

Misc. D: Town Board/Commission Meetings: The Town Manager reported that he is hopeful, if not the next time Council meets, then certainly by September they will be back to in-person

meetings with some solution for a hybrid meeting format. He noted that all Town departments are back to normal operating procedures with the exception of the Library who is still in the soft opening phase while the Geothermal System Project is wrapping up as well as the Senior Center which has a reopening date of June 15th. He noted that the Senior Center has done a great job keeping track of their community and making sure that the seniors feel connected to Senior Center staff and the activities going on during the pandemic.

Misc. E: American Rescue Plan Act: The Town Manager reported that the Act was adopted by Congress in March 2021; Treasury Department guidance came out last month and since then the Assistant Town Manager, Finance Director, and himself have been involved in several webinars to learn what these funds can be used for. He noted that Avon will receive \$1.8 million and an additional \$3.5 million that will come in two payments, one each in 2021 and 2022. He added that the money cannot be used for paving projects; there are many restrictions and we are thinking strategically to come up with options that will put the money to good use. He noted the parameters for how the funds can be used: for broadband projects, sewer and water projects, to make a municipality whole for lost revenue as a result of COVID-19, or for other costs directly incurred due to COVID-19. He would like to get a portion of this money as an offset to the Public Safety Communication System Project which is a capital debt service cost to be incurred and would be a significant benefit to the Town.

Mr. Weber had a follow-up inquiry regarding the Fisher Meadows pavilions with regards to storm lightning. The Assistant Town Manager responded that staff looked into an app that may have served as a lightning detection system and possible feature to include if there were funds leftover from the Fisher Meadows Expansion Project funds appropriation; Public Works is pricing out a Town-wide lightning detection system that the former Emergency Management Director advocated for over the years. Mr. Weber noted that the main concern brought to him was that at minimum having lightning rods installed to make the pavilions a safe space for people when storms are passing through.

XI. ADJOURN

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

RESOLVED: That the Town Council adjourn the meeting at 9:48 p.m.

Mrs. Maguire, Messrs: Bernetich, Speich, Polhamus, and Weber voted in favor.

Attest: Jennifer Worsman, Clerk

Public Comments received prior to Town Council June 3, 2021 Meeting
re: LGBTQ+ Pride Month/Flag Display

1. Marilia de Moura Castro, 107 Woodhaven Drive

Good afternoon, I would like to make a statement for the public record as a resident of Avon at 107 Woodhaven Drive that I fully support a pride mural or flag to celebrate Pride Month and give a message of inclusivity and acceptance to the LGGBTQ community. I have a gay son who was bullied in school and it would mean a lot to him and to others to see for themselves visual proof that Avon is a community that accepts them. I believe that it is indeed the town's role to make an informed decision as to which messages to support and to take a stance of proud acceptance of the LGBTQ community as they have done in the neighboring towns of Simsbury and West Hartford. I am unable to attend the meeting in person tonight but would like my voice to be included. Thank you.

2. C. Dianne Zweig, 14 Gatewood

Dear Council Members, So why do we need a Pride walkway or mural? As a faculty member at the West Hartford Art League I have recently been involved in several public art projects. It's not about the paint, or the palette, or the subject or the design. It's about the process, the group effort, the team players, the ups and downs of painting on concrete, or in bright sun or on hot pavement or on a wall. It's about figuring out how to overcome obstacles, how to have fun, how to get along! June is Pride month, a time when we remember what happened on June 27, 1969 when police raided Stonewall, a Greenwich Village tavern considered to be a safe haven for LGBT. The police hauled employees and patrons out of the building igniting six days of protests, riots and violent clashing with law enforcement. The Stonewall Riots served as a turning point and catalyst for the gay rights movement in the United States and around the world. Each June we honor Stonewall as a symbol of resistance to social and political discrimination. It is also a time to celebrate social equality, individuality and community unity. The colorful and attractive rainbow flag has become an important symbol of honoring and protecting diversity and the rights of all! **So why do we need a mural or walkway? The answer is simple: The most important function of a mural or walkway is to say "this place is safe for me"!** With this in mind I proudly endorse the efforts of the town of Avon to join communities all over the world in finding a special way to celebrate Pride month.

3. Erin Sullivan, 20 Guernsey Lane

Dear Council Members, I am writing to you today to voice my concern about the resistance to both recognize and formally acknowledge Pride month here in Avon. As a mom of four children who are being raised here in Avon, I want nothing more than to be in a town that is both welcoming and supportive of all religions, races, and LGBTQ+ residents. As I sit here to write this letter and I think of my children, I can't help but to think about the Rainbow bench that sits on the PGS playground and the significance it holds for the school community. It was placed on the playground to be a place where a child might go and sit should they not have anyone to play with, in the hopes that other children would take notice and invite and include them in their play. The premise of this bench is about teaching our children the importance of inclusion. It is also teaching our children lifelong interpersonal skills, as well as having empathy for peers who might be different from them or who are feeling left out. The rainbow bench also encourages the students to embrace/accept their peers, and include them so that no one is left to feel alone and isolated. While reflecting on this rainbow bench I can't help but to think about all the Avon Cares signs that I have seen pop up around our small town. These signs, like the bench, are a significant first step by so many residents stating that they are here to recognize, accept, and support the LGBTQ+ community of Avon, and that they don't want their fellow neighbors and residents to feel alone or isolated in this community. The signs in a way, like the rainbow bench, are making the statement that we are here for our LGBTQ+ community and that we accept and support them for who they are. Today a long time resident of Avon posted on the Avon CT Chatter page that "as an out gay man I have really appreciated how many Avon Cares signs I've seen around here! Thank you everyone!" This is the type of town that I want my four children to grow up in, a place with outward

Public Comments received prior to Town Council June 3, 2021 Meeting
re: LGBTQ+ Pride Month/Flag Display

acceptance, where LGBTQ+ people feel valued, supported, safe, cared for and recognized. These signs came to fruition because a high schooler and a private citizen took the initiative to do what the Town of Avon has not been willing to do, to formally recognize Pride month, and show support for our LGBTQ+ residents. It always amazes me that we as adults teach our children life's lessons such as including all peers and those sitting on the rainbow bench at recess, making sure that no one is left out or isolated. Yet we as adults aren't leading by example. I strongly feel that the Town of Avon should formally recognize June as pride month, and it should be followed by a symbolic recognition of Pride month either in the form of a rainbow crosswalk in front of the library or by flying the Pride flag along with the American flag. I am unclear why other towns like West Hartford are taking the symbolic step to fly the Pride flag on their Freedom Town Green AND at each and every one of their schools for the month of June to show their support of their LGBTQ+ students and families. Such an effort sends a loud, supportive, accepting message, and I can't quite fathom why we as a town have not, and can't do the same. I thank you for your time and your leadership and all that you do as a Town Council.

4. Gary Gianini, 5 Butternut Circle

Dear Town Council members: I write you in support of Pride Month and the raising of a rainbow flag, banner, or Pride mural on town property. As a parent, an ally, a rights advocate, and public speaker for the past 22 years, I learned from the LGBTQ community the importance of signs and symbols. I've learned that while I may comfortably and safely enter an unfamiliar room or situation, it can be a calculated risk for them. Having to decide in a few milliseconds if that same space is a safe place for them to be who they are, can be a life saver. **Coming out** as a supportive community can make a difference. Progress has been made over the years. Yet, we see across our country how state governments are going out of their way to create a second level of rights, for discrimination of the LGBTQ community. Don't believe it can't happen here. Equal protection under the law for all can never be taken for granted. Signs and symbols or the lack of make a difference. LGBTQ is more than letters of the alphabet. Every one of those letters is a person. Every one of them is someone's child. We are all someone's child. Consider that as you make your decisions.

5. Carrie Firestone, 36 Cambridge Crossing

Dear Members of the Avon Town Council, First, I would like to thank you all for stepping up to represent our town. I know this is not easy work, and I am grateful for your commitment and dedication. I'm writing in support of a town-sanctioned permanent Pride sidewalk mural in front of the Avon library. Unlike other cities and towns across the country and the world (I'm thinking of the beautiful collective response I saw in both Iceland and Ireland, for example), Avon has been sadly silent in celebrating Pride month and acknowledging our LGBTQ+ community in general. While I understand the standard *If we celebrate or acknowledge one group, what happens if other groups want the same attention?* argument, I do not believe that is a sound enough reason to eliminate something like a sidewalk mural outside the library. Despite head-in-the-clouds thinking by some, LGBTQ individuals are not always treated with kindness and respect in Avon. They do not always feel safe or welcome to live their lives. Students spew ugly, hateful comments that eventually serve to undermine self-esteem and cause our kids to self-isolate and withdraw. When a town presents a symbol of welcoming inclusivity, that town is saying, "We are here for you. We support you. We acknowledge your humanity. And we will not tolerate or normalize bigotry." A permanent pride sidewalk mural would be a powerful gesture for our LGBTQ+ students, many of whom see the library as a safe space. It would be a comfort to our LGBTQ+ adults, many of whom are raising children in Avon. As elected leaders, you have the ability to change a blanket policy and critically assess every proposal and creative idea that comes across your proverbial desk. By looking at the proposals through the lens of the following example of suggested criteria, you can better determine proposals on a case-by-case basis:

1. Does this proposal promote equity and inclusivity?
2. Does this proposal build community?

Public Comments received prior to Town Council June 3, 2021 Meeting
re: LGBTQ+ Pride Month/Flag Display

3. Conversely, does this proposal have the potential to do harm to individuals or groups in Avon?

By creating a standard rubric for determining whether or not signs/banners/or permanent artwork should be allowed on town property, you can be more proactive in engaging with ideas brought to you by community members while still being respectful of the wider community. So many other communities (including neighboring towns) recognize the struggle our LGBTQ+ citizens have historically faced and seek to show support through the simple act of a rainbow symbol. Please consider following their example by sanctioning a sidewalk mural outside the Avon Public Library. Thank you so much!

6. Lauren Yarnall, 45 Stony Corners Road

To Avon Town Council members, I urge you all to demonstrate support for members of the LGBTQ+ community in our town, specifically by approving, at your June 3 meeting, the raising of a Pride flag at Town Hall and the painting of a Pride mural by Avon students at the library. Towns and cities across the country and around the world have demonstrated support in these ways, and our town should have the will to do so as well. It would not be an exaggeration to state that such a display of support could save the lives of children in our town. Please make this message part of the public record, and please do the right thing at your June 3 meeting.

7. Anna Stanback, 44 Wright Drive

Dear Avon Town Council Members and Town Manager Robertson, My wife, Charlotte, and I have lived in Avon for 27 years. In many ways it has been a wonderful place to live. We do not have children that would have gotten us involved in the schools, but we have three wonderful nephews who were educated in town. We support local restaurants and businesses in Avon; we love and utilize our town library; we hike and canoe and golf with friends in Avon; and we vote in Avon. But as lesbians who have been together for 37 years, we have never felt as welcomed by our town as we have in the last week as we have watched *Avon Cares* signs popping up on the lawns of neighbors, churches, and local businesses. Both of us have been involved in LGBTQ organizing and activism for over 35 years. We were leaders in the effort to pass Connecticut's nondiscrimination law for gay, lesbian and bisexual people in 1991 (the third state in the nation to pass such a law), and we were involved in the fight to pass a similar bill that banned discrimination of transgender people in 2011. I was the founder and executive director of Love Makes a Family, the organization that led the campaign to win marriage equality in our state. I then went on to work nationally on both marriage equality and efforts to pass nondiscrimination laws in states across the country (a majority of states still do not have the kinds of protections that we have here in Connecticut). And I have continued to work at the state legislature to change laws and policies—as well as hearts and minds—to make Connecticut a more welcoming state for LGBTQ people. I mention this background because I have been out and active for decades and did not think that rainbow signs in my town would move me in the way they have. For decades, I did not see support from most of my town's elected officials on the bills affecting the LGBTQ community that were debated at the state capitol, nor did I see any tangible evidence that our local town government welcomed individuals like me and my wife. I felt proud of my state and welcomed by so many towns within my state, but I'm sad to say that for many years I gave up on Avon, speaking and organizing in other places. Thanks to the efforts of a handful of people—including some inspiring young people—I am happy to say that I am ready to refocus my energies closer to home. I was very pleased to hear that the town of Avon will issue a proclamation for Pride Month in June. That is a wonderful first step, and I hope that there will be more this year and in the years to come. I love seeing rainbow banners hanging at businesses, and *Avon Cares* signs on the lawns of churches and local residents, but having an official message of welcome from my town is powerful in an entirely different way. I urge the Town Council to establish a more visible symbol of support such as a mural or crosswalk or flag raising. A decade ago a national public service campaign called the *It Gets Better Project* was established in response to far too many suicides and far too much depression among LGBTQ young people. Since then, it has

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gotten better in many ways, but the bullying we still hear about in the Avon schools, not to mention the homophobia-based murder/suicide in Windsor Locks last week, are reminders that there is much more to do. Tangible signs of support and welcome by the town of Avon are not political statements; they are, rather, a way to say that we all matter...that we all are valued members of this community.

8. Donna Gianini, 5 Butternut Circle

Dear Town Council members: My name is Donna Gianini and I live at 5 Butternut Cir, Avon. I'm writing to you as a bereaved mother in memory of my beloved gay son, Michael Gianini. My son's journey as a gay teenager mirrored that of many others. The need to fit in and be accepted by peers and the wider community was and is so central to well-being. It is vitally important that there is visible and demonstrable support for gay youth to feel safe and nurtured. Yes, progress has been made in terms of acceptance of LGBTQ people but there remains the need to do more and to provide safe communities wherever we can. The time is long overdue for the Town of Avon to become a visibly welcoming community for all our LGBTQ residents, especially our youth. The State of CT and numerous other CT communities have been able to navigate the issue of making informed decisions about what issues to take a stand on or support. They have become part of the solution by flying a flag or other visible symbols of support. Hiding behind the neutrality stance is beneath the intelligence of all of you who have been elected to make Avon the best it can be. I wholeheartedly support raising a flag, banner or having a mural on Town property in support of LGBTQ people in Avon and everywhere. Thank you.

9. Carol Shubinski, 34 Oakengates

Hello! I am writing to affirm my support for the ongoing efforts to increase support for the LGBTQIA+ community in Avon, including, at a minimum, flying a pride flag on town and school property and creating an inclusive mural in a visible location such as at the Avon Free Public Library or Avon Town green or both. I see all of these public efforts by similar towns such as West Hartford and Simsbury, and nothing in Avon. I strongly believe that a majority of people in Avon are welcoming and inclusive of all people. The town of Avon should make more concerted and open efforts to make that inclusiveness more evident to people who are traditionally underrepresented. No one should be made to feel less than others based on their gender, their sexuality, the color of their skin, their religion or for any reason. The more the town can send the message that Avon Cares about LGBTQIA+ the better. I am disappointed that our town leaders are not doing more to be leaders in these efforts. Bigotry and hate should find no footing in Avon.

10. Kim Stevenson, 70 Harris Road

Dear Avon Town Council, I'd like to lend my support to the request made by an Avon student to paint a pride mural on the sidewalk at the library, sending a message of warmth, love and inclusion that every member of our community, regardless of differences, is welcome and belongs here. Strong, positive, and highly visible messages of acceptance are one of the best ways to build community. This is especially needed in a town like Avon that may be a physically beautiful town, but has a lot of work to do to build our internal beauty. By this I mean growing to become a community with a larger base of residents and leaders who authentically, demonstratively, and through our actions care for and accept everyone, young and old, from all walks of life. As part of the human experience, we have all had moments in our lives when we have felt outed, put down, misunderstood, disrespected and undervalued for some aspect of who we are. We also know where our happy places are – where we feel welcome, understood, respected and connected to those around us. It's in these healthier environments where we all feel more safety to take risks, be creative, explore, learn, contribute to our community and greater good, and thrive. This is the better Avon we all need to create for everyone in our community, and especially for our youth. I ask you to take a small but significant step in this direction by voting to approve this wonderful request for a pride mural on the library's sidewalk to show that YOU and our greater Avon community cares! Thank you for the time and service you provide to our community!

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11. Jackie Paul, 85 Reverknolls

Thank you for giving us space and time to discuss a mural that supports a discriminated against group of people. While it may seem uncomfortable or unnecessary to show support for the lgbtq+ community, it is not only positive messaging from our community, to our community, but it can ultimately be lifesaving. According to the Trevor Project (a suicide prevention hotline established for the lgbtq+ population), “LGB youth are almost five times as likely to have attempted suicide compared to heterosexual youth.” In the words of my gay friend Katie, when discussing the mural, “I think if a little Katie, went to the library, looking for books as I did so often, and found a sign that some people in my community could possibly accept me for who I was, that there would be nothing political about that. I hope your town realizes that positive messages help LGBTQIA+ youngsters to make it to adulthood.” A little more background about Katie, she felt unable to tell anyone in her life that she was gay, she struggled with anorexia in high school, had to take a year away for her recovery, and attempted suicide in college. Her experiences and struggles may have been lessened or avoided completely if she felt safe and accepted by her community to come out as who she truly was. No one bullied her, they didn’t know she was gay, but the lack of obvious support left her feeling alone, secluded and lead to self-harm. A male student that I worked with posted on his Facebook a few days ago, “For pride month this year, I wish I could go back in time 10 years ago to my high school self and tell him that it gets a MILLION times better.” This student has described times of physical assault and bullying by his classmates. Imagine if he had seen representation of himself in his community and had a space where he felt safe. Not only would the mural help lgbtq+ youth, it would also help straight children as well. For one last personal story, I’d like to share that I lived with a woman in her 30s and her 13 year old son a few years ago. Queer Eye had just aired on Netflix and despite my excitement, they would not watch it. After I moved out, we got together and they started telling me that they had seen a few episodes but were uncomfortable. The teen told me, “I’m a little homophobic.” I tried to keep my composure at the shock that a teen would describe himself this way, but I felt thankful that he said it out loud so we could discuss his feelings and opinions. Without Queer Eye advertising on Netflix, an app we would watch together, the conversation would never had come up and our open, educational conversations would not have happened. A pride mural would not only be beautiful, it would be a piece of art that promotes conversations that might not otherwise happen. Silence is easy. Doing nothing is easy. Avoiding taking up an issue because what about next time is a simple excuse. Unfortunately those reasons do nothing to make our corner of the planet a better, kinder place. Actions, conversations, and effort create positive change and opportunities for growth and acceptance. A mural will do what any piece of art does, make us stop and think, create dialogue, and most importantly, give representation to a group of people who are at higher risk of self-harm and bullying. With a little paint, our lgbtq+ family members, friends and neighbors could find the support and love they need and deserve from Avon as opposed to the blank space and silence they are receiving now.

12. Clay Stevenson, 166 Highridge Road

Dear Avon Town Council members, I wanted to write to you to express my support for Avon taking steps to recognize June as Pride month. Having moved back to Avon last year after several years in Simsbury, it is heartening to see Avon moving forward to recognize and embrace the diversity of the town, state, and country. I do hope that, beyond a proclamation, the town can also join the numerous towns across Connecticut and the US in a display of Pride flag and installation of some form of public art or other commemorative display on a permanent basis. The sidewalk installation in Simsbury in recent years has been very well-received and is a splendid addition to town space. I’m sure Avon could easily do something similar. I cannot overstate the importance of letting our LGBTQ+ residents, especially our young people, know that our town sees them, hears them, and supports them as human beings and as valued members of our community. Whatever the town can do to reinforce its support of being an inclusive, welcoming place has my support.

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13. Robin Baran, 182 Woodford Hills Drive

Dear Council Members, As always, thank you for the time and dedication you put forth in your volunteer roles as council members. Chapter 4.3.2 of our Town Charter States: “The Town Council shall have the duties and powers to: (i) Provide for the preservation of good order, peace, health and safety of the Town and its inhabitants.” My plea that follows pertains to the “health and safety” portion of your duties and powers. I’ll speak from a parent’s perspective as I have three children in three different public schools here in town. This is my family’s reality: each of my children has a classmate with same-sex parents. One of my children has a friend who identifies as bisexual. Two of my children have classmates who identify as transgender. Through my middle and high schoolers, I have heard of several students who identify as something other than straight. I have heard stories of bullying, self-harm and, to my horror, attempted suicide. I have seen the impact of social media (Snapchat, in particular) on these kids’ lives (e.g. posting, without permission, a photo of a fellow student and asking others if they think they are gay). This is our town’s youths’ reality and it’s time we, as residents, let them know ALL are accepted here in Avon; that the town they’ve grown up in or recently moved to is represented by fellow citizens, you, who will work to protect them. If you vote to have a public display of inclusion here in town (e.g. a pride flag, a painted crosswalk, a mural), surely our community will be a safer place for our children and any adult who identifies as LGBTQ. If sexual identity is being talked about, if sexual identity is at the forefront of these kids’ lives today, if our teens are struggling - and they are - with being accepted and feeling safe, then the support services needed for them to survive in our schools needs to extend to the community at large in which they live; the town of Avon needs to reflect the reality of who we are today. “The Town Council needs to provide for the preservation of good order, peace, health and safety of the Town and its inhabitants.” Please vote in favor of installing a pride flag, crosswalk, or mural; let our community members that identify as LGBTQ know they’re accepted and safe in our town. Let’s follow in the footsteps of Simsbury, CT and put our health and safety first.

14. Haleigh and Michael Guerrero, 106 Fox Den Road

Good evening Avon Town Council, We are reaching out in support of the permanent pride mural at the AFPL and the pride flag at Town Hall; and further, believe that all requests of this nature should be welcomed and discussed. Our support is not about a partisan victory. We believe these displays could be positively transformative for our town. Murals build a sense of community and, better yet, would make people want to visit Avon. In addition to being beautiful, the mural's deeper value lies in the conversations we create, the connections we build, and the legacy of relationships we foster along the way. As the Chairperson of the Avon Greater Together Community Fund, we heard through focus groups and surveys that we can do better about inclusion in our town. This is a small step in the right direction. Thank you for your service and thank you for your consideration,