

**AVON TOWN COUNCIL
MEETING MINUTES
October 6, 2016**

I. CALL TO ORDER

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

The Town Clerk reported that Chairman Zacchio is not here tonight and she would take nominations for an Acting Chairman for tonight's meeting.

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

RESOLVED: That the Town Council nominate Mr. Stokesbury to be the Acting Chairman for tonight's meeting.

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

II. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Acting Chairman Stokesbury.

III. PUBLIC HEARING: None

IV. MINUTES OF PRECEDING MEETING: September 1, 2016

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

RESOLVED: That the Town Council accept the minutes of the September 1, 2016 Meeting as submitted.

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

V. COMMUNICATION FROM AUDIENCE - None

VI. COMMUNICATION FROM COUNCIL

Mr. Speich commented that the time he spent at Avon Day it seemed like an enjoyable event, quite a few people there, and was run very well with Nancy Anstey and her committee. He appreciates everything that everybody did for that.

Mr. Pena commented that Avon Day was a very good event. He thanked Nancy Anstey – we had a great day and very good turnout; it is a lot of hard work that goes into the event that nobody really sees to make it happen. He commented that he wants to make sure that we are setup for Election Day at Company #1; he spoke with Mr. Zacchio about this in June, particularly the stairwell that goes up from in front of the firehouse to the parking area because it is a little rough and there is no lighting. The Town Manager responded that he will make sure that everything is all set.

Mrs. Maguire commented that with Avon Day she was sad to see that at 4:00 p.m. people were packing up and leaving; the people that she got to talk to, it was a good time had by all, but sad that it ended so early. She noted that it is very hard to get volunteers for the booths. She thanked everyone for helping out. She reported that flag football has come to Avon in a really big way; this year her twins are participating and on a Sunday afternoon at the Middle School the fields are filled with approximately 175 kids, up from 40 when they started and the interest is growing. She has had a lot of time to talk with the person who is coordinating it; she loves the excitement that the kids have a fun way to spend a Sunday afternoon. If we could get those extra fields we really need more room. It is a great activity and very well received in Avon and we have a few kids from surrounding towns so a real plus for us. She reported that the sidewalks on Route 10 look great and nice to see coming along so quickly. She reported that she spends a lot of time on West Avon Road and have a daughter that is going through the driving process and very aware of making left hand turns at Country Club Road. She knows that it is a State road but this is something that she is hearing from a tremendous amount of people and already witnessed two accidents there. She is requesting an arrow at the intersection of West Avon Road and Country Club Road; get the lanes designated, someone trying to make a left hand turn is backed up for quite some time. Mr. Stokesbury commented that the Town Manager has reported on that in the past, maybe we can get the Traffic Authority to explain the process. The Town Manager responded that the Chief of Police and Town Engineer have looked at it extensively but now is the time to look at it again because there is probably some right-of-way acquisition we would have to do to add an additional lane on the south side; maybe we can consider it as a capital project for FY18. He added that we will take a look. Mr. Pena commented that he recently spoke to Mr. Zacchio about it and if there could be a left turn lane that would be great. Mrs. Maguire commented that traffic light goes out at 10:00 PM, both there and at the intersection of Lovely Street and Country Club Road, but it needs to be a permanent red light; sometimes sight lines heading up Westmont from Country Club Road are hard to see. Mr. Pena commented that in 2008 or 2009 the State came out and looked at that intersection. Mr. Stokesbury responded that the prior report was that it was cause more congestion which is counterintuitive. The Town Manager responded that he would report back.

Acting Chairman Stokesbury reported that all Council members attended a VIP tour of the new Mormon temple, which we found quite interesting, along with a few notations about Avon's strong connection to the early church. He added that they are still open to the public and encourage anyone that has an interest to take a tour; it is fascinating. He reported that the City of Derby just received a very large State grant to help fund their turf field so there is still money being funded through the Bond Commission for that purpose and perhaps our Bond Counsel will have further discussion on that. He recognized Dylan Bernetich, senior at Avon High School and a fire cadet, was in the right place at the right time over the summer and saved a young man who was drowning in the Farmington River. He noted that Council recently attended a ceremony for him and we appreciate his life-saving efforts.

VII. OLD BUSINESS

13/14-48 Synthetic Turf Field Project-Bond Counsel Presentation/Discussion

Doug Gillette, Day Pitney, reported that he and the Town Manager has discussed this project for a number of months. He understands that with this project the Town has a desire to limit the

debt that is issued to finance the project and has a desire to fund the balance of the project cost from State grants and donations and how it would structure a bond resolution to accomplish that. He referred to the structure that was used with the 2009 Library Project where there was an appropriation of funds, a borrowing authorization that was lower than the full appropriated amount and then the balance was to be made up of State grants under the Library program and pledges that had been received and commitments made for donations; that project provided that should there be a shortfall in the outside funding that the scope of the project could be reduced to keep the borrowing within the borrowing limitation in the bond resolution. Acting Chairman Stokesbury questioned that at the time we moved forward with the Library we had commitments with both of those other legs. Mr. Gillette responded that his understanding was that there had been discussions with the Library grant program and was an existing program that has been around for quite some time which provides funding for Library projects and that there was some level of commitment from the library folks with respect to additional pledges to make up that other funding. His understanding currently with respect to the athletic field project is that there is not an existing State program to fund that project with grant money and at this point it is anticipated that the Town would need special legislation to get grant money from the State for the project and that there are no commitments or pledges from supporting groups that together with anticipated State grants would cover a portion of the project cost that can be defined.

Acting Chairman Stokesbury commented on being defined or identified prior to the referendum. He questioned when you speak of legislation is each of these State bonding episodes, like the one for Derby this past week, a special act and how would our situation be different? Mr. Gillette responded that the Bond Commission acted to allocate funds under an established program that was setup by a Public Act previously; it is not a special legislation designating money for the City of Derby. Acting Chairman Stokesbury commented that may be a likely alternative for us. Mr. Gillette responded that it depends if there is a program established from which the Town could receive grants for the project. He is not familiar with all of the particulars of the Derby grant; sounded like it was a reallocation of DEEP money out of a bond issue. Acting Chairman Stokesbury commented that if the State continues in the business of bonding for similar projects we have an opportunity to pursue that funding. Mr. Gillette responded that at this point the Town has not identified an existing program that would be a source of funds and that there had been some discussions with the delegation representing the Town as to some special legislation but at this point it has not been introduced or adopted and something that would happen in the next session. Mr. Speich asked for an explanation regarding the special legislation. Mr. Gillette responded that a special legislation is contrasted with a public act which is a law of general application and routinely passed by the general assembly to provide in some instances specific funding for a particular project that is identified; it is not a rare occurrence. He noted there have been a number of occasions where that has happened and usually funds that run through one of the existing agencies, DECD, DEEP, or Department of Education, but it is not part of a program of general application which would be a public act and are not at all uncommon.

Acting Chairman Stokesbury commented that you are identifying a concern that we do not have an identified State program yet and we do not have an identified source for private contribution. He questioned how that impacts how we can go to referendum. Mr. Gillette responded that it impacts the format or what you take to referendum. He noted that one alternative would be to downsize the project to what the Town anticipates it wants to commit, take that to referendum, and if the Town at a subsequent time receives a State grant or received donations then those

could be appropriated to expand on the project scope separately or depending on the timing run it through your budgetary process in lieu of doing it as a separate referendum. He reported that another alternative which is one we often say in the case of a school project where there is a State grant anticipated is that you appropriate the full amount of the project cost, you authorize borrowing for the full amount of the project cost, but the borrowing authorization provides that as grants or other funding is actually received the amount of the borrowing authorization is reduced dollar for dollar. It is a useful approach because it does not require you to have a firm on what you think the outside funding will be and also provides you the opportunity to provide temporary cash flow financing in anticipation of grant or donation receipts; if you only authorize what you anticipate to be your net cost you do not have ability to issue temporary notes while you wait for funds to come in. He added that depending on how the grant monies are dispersed or donations received they may not be front loaded so you are covering it out of cash flow borrowing if you have the authorization which you would under the “ratchet down” of the borrowing authorization or you are hitting your general fund and doing some sort of advance to cover the cash flow on the receipts. He noted that is typically what you see with a school project where the State grant is based on a percentage of eligible costs so you do not know the number as you go into the project. He noted that under the current grant scheme you cannot even apply for a grant until after you have authorized the project and have a bond resolution in place. He added that is a typical approach to deal with that kind of level of variation and to provide an opportunity to not use your general fund balance to provide temporary cash flow financing for the project.

Mr. Pena questioned if that is something similar that we did with our Library project as we had letters of commitment from the State and the Library Board. Mr. Gillette responded that when you appropriate money you are appropriating from some source and here you do not really have a source, you have a hope to get a source. He noted with the Library project you had a commitment under an existing State program, a letter of commitment from the Library Board and here you do not have either of those so it is hard to appropriate a plan to get outside funding where you have no commitments and it would be awkward with this project in particular. He is not sure that the approach taken with the Library project that was there some level of shortfall which we would anticipate it to be relatively minor given that you had commitments you could reduce the scope of the project to keep within the borrowing authorization. He noted that it will be difficult to lay down half of a turf field; it is not a project that lends itself to being reduced in scope once you have started the project. Mr. Pena questioned if we were to go to referendum for the full amount would it show that if the voters voted for it knowing it is for “x” amount that the State would look at it as a willingness to pay and now there is nothing coming from the State because your voters approved it. Mr. Gillette responded that he does not know how much you could lay the ground work with your delegation to have some legislation teed up for the next session to address that. He noted that you can put some language in the bond resolution that the Town anticipates seeking donations to fund and special legislation to fund a portion of the project costs; you can put something to give an indication that the Town’s intent is not to have the taxpayers shoulder the full burden but without the level of commitment that you had with the Library project you cannot really quantify that in the resolution. He deferred to the Town Manager and the discussions he will have or had with the delegation regarding the strategy going forward. Mr. Pena commented that the Town is accused of the willingness to pay if we go to referendum with “x” dollars even though we do not want to fund the whole thing but the voters show that willingness. Mr. Gillette responded that you may be in a different position come the

close of the session if you have gotten some legislation in place and had the time to solicit commitments for donations from the supporting groups then you are back into the position of the Library project where you have meaningful numbers attached to it and can put into the bond resolution. He noted that you want to be careful as to the Town's ability to trim back the project if there is some shortfall there but if you have some legislation giving a grant out for the project or been able to qualify under a program and have commitments for donations that will shrink that possible amount of variance from at this point is potential 100% variance. He added that you can go forward with the smaller project and try and get funding for the remainder of the project; it is not just the turf field but also lighting and the auxiliary. Acting Chairman Stokesbury commented on the second point, the small option, if we go forward with a defined smaller project that the Town would be fully funding and then we obtain the sources for the add-ons. He questioned if there is any need to go back through a referendum process for those funds. Mr. Gillette responded that you do need to appropriate the grant money in order to enter into a contract to expend that money but it is possible that in lieu of doing that as a stand-alone referendum that you could run it through your budgetary process if the timing is right

Acting Chairman Stokesbury asked the Town Manager for additional thoughts. The Town Manager commented that we have been talking about this for a few months now and we are in a very different place with this project than we were at the Library, we do not have the commitments in place and important to note that we do not have a project defined either. He added that he thought it was important for Mr. Gillette to come in and talk with Council about some of these issues because he is expecting that hopefully in November he will have had a chance to work with Town staff and Board of Education staff to take into consideration all of the comments that we heard at the joint Town Council and Board of Education meeting and come up with a final project proposal for Council's consideration which will include the scope and the budget. He noted that if the budget is \$3 million to \$4 million we are back to the conversation of Town funding, State funding, fundraising dollars and we think we want to move forward with a bond question and to referendum but do not have these other commitments in place which complicates that. He commented that the different ways to approach it is that Council defines the project and through our debt modeling process that we do with our Financial Advisor we decide how much the Town wants to contribute, then put the word out to the delegation and the private fundraisers with what the project is, what the Town is going to put in, and ask for help to fill the gap and we hold off at that point and see what commitments come back. He added that another option is to see if we scale the project back, as an example, the total proposed project is \$4 million, the Town feels comfortable with \$2 million, we decide to go ahead with a referendum question based on that amount and put the word to the delegation and the fundraisers and they can fund the extras like the bleachers, press box, whatever we could not do that was part of the initial defined project. He added that another option is the Town deciding to fund the whole thing, not waiting for funding from other sources. He asked Council to think about these options because he does not want to start that conversation after we get the final project number. He noted that for tonight he was hoping to surface those and have Mr. Gillette raise some of those questions. He added that his next step is to work with the team, smooth off some of the rough edges on the proposal that you have already heard, and come back with some debt projections and take it from there.

Mr. Speich questioned that as far as private funding has gone have there already been discussions with groups in Town. The Town Manager responded that there have been discussions from the

very start but it has been difficult as this project has taken time to mature, we have looked at a couple of sites, and this is unique because particularly with the issues with the abutters we have gone to almost 100% Design Development which is a very time consuming process. He noted that we have done a lot of the leg work but we do not have the final project defined and once it is, the fundraisers and State can get engaged. Mr. Pena commented that we did talk about it a few years ago and there was a lot of enthusiasm at the time about the funding, from the State or private funding, and never really got to that number. Acting Chairman Stokesbury commented that we had two types of fundraising, with the Library we had the Friends of the Library, an inside source that raised a lot of money, and we had a relatively small project with the Avon Middle School tennis courts with money raised through ACORN. He questioned if we need to concern ourselves with the designation of the fundraiser. The Town Manager responded that the third leg would most likely be a 501c-3 that is formed to assist in the process; the word is out there and once the project is defined and we can identify scope and cost, which will start to materialize. Acting Chairman Stokesbury commented that based on the combined meeting there was a very clear consensus of the audience as to minimum scope of the project which you should be aware of as you are working on your recommendations for us in November. The Town Manager responded that Council identified the initial scope of this project when you approved the resolution appointing the Sub-Committee with at a minimum lights, multi-purpose field and track; we heard a lot at the joint meeting which we will take under consideration and come back with a recommendation. Acting Chairman Stokesbury questioned if there is anything else that we need to speak with Mr. Gillette about tonight. Mr. Gillette responded that we have laid the groundwork for some discussion on how you bring this forward once the Town Manager takes his steps towards November. The Town Manager responded that we are just surfacing the issues, we want to get it out there, anticipate it, and it is not the last we have heard about this topic.

Mrs. Maguire commented that Madison used a STEAP grant for their turf field and questioned if that is an option for us. The Town Manager responded yes, there are a number of different vehicles that have been used. He noted that looking back to 2006 we identified 19 communities that have received funding for these types of projects and the funds that have been appropriated by the State ranged from \$70,000 up until the most recent award to Derby for \$2.9 million and there are various funding sources but STEAP is prominent. He noted that Farmington received \$500,000 from STEAP for their field project and Plainville might have been the same source. Acting Chairman Stokesbury thanked Mr. Gillette.

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

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

RESOLVED: That the Town Council table appoint Lisa Seminara as a member to the Youth Services Advisory Board to fill a vacancy with a term to expire on December 31, 2017.

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

15/16-84 Appointment: Avon Clean Energy Commission (D – 12/31/2017)

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

RESOLVED: That the Town Council appoint Bill Shea as a member to the Avon Clean Energy Commission to fill a vacancy with a term to expire on December 31, 2017.

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

VIII. NEW BUSINESS

16/17-10 Rotary Club of Avon-Canton Grant to Avon Senior Center, \$2,000.00

Jennifer Bennett, Senior Center Coordinator, reported that the grant money is two-fold. She noted that their lunch program which is state and federally funded with Town money and took some cuts which put a cap on how many people we could feed on Tuesday and Thursdays at the Senior Center. She did not want to turn people away so she wrote a grant request to the Rotary to assist with allowing us to feed more people above the cap. She noted that because their lunch program is a big part of our programming at the Senior Center, combined with that she put in for a projector as part of the grant request so they could increase and enhance a program that we do on Tuesdays and Thursdays around their lunch program. Acting Chairman Stokesbury questioned the cap. Ms. Bennett responded that the lunch program is through CRT, Community Renewal Team, and are our elderly nutrition provider for Avon's Senior Center and they had funding difficulties and gave each site a cap for two months to feed a certain amount of people so she figured out how not to have that happen. Acting Chairman Stokesbury responded that was good and he thanked the Rotary Club for the grant. He asked the Town Manager to pass along our thanks for the grant. The Town Manager noted that Ms. Bennett made a very nice presentation at a Rotary meeting two weeks ago.

a. **Acceptance of Gift**

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

RESOLVED: That the Town Council, on behalf of the Town of Avon, accept the gift of \$2,000 from the Rotary Club of Avon-Canton for the Avon Senior Center.

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

b. **Supplemental Appropriation**

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

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

REVENUES

Recreation Activities Fund, Other Local Revenues, Donations & Grants, Private Sources, Account #09-0360-43651 in the amount of \$2,000.00 and increasing:

APPROPRIATIONS

Recreation Activities Fund, Senior Citizens, Services-Other, Account #09-5301-52189 in the amount of \$2,000.00, for the purpose of funding our meal program over the 35 person cap for September and for a new projector.

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

**16/17-11 Supplemental Appropriation: State of CT Department of Education
Youth Services Bureau Grants, \$20,250.00**

The Town Manager reported that this is the combination of two grants, Youth Services Bureau Grant and Youth Services Bureau Enhancement Grant. He noted that for the last couple of years we have received this funding and dealt with it on a supplemental appropriation basis and we haven't budgeted for it because we never know for sure that we are going to get it. Acting Chairman Stokesbury commented that in the budget process we are very conservative and do not count it but this will now allow for the services. The Town Manager noted that it will be used for additional programming and wages and benefits for the employee that supports the program.

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

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

REVENUES

General Fund, Intergovernmental, Youth Services Bureau Grant, Account #01-0330-43383 in the amount of \$20,250.00 and increasing

APPROPRIATIONS

General Fund, Human Services, Service & Consultant, Account #01-4203-52184 in the amount of \$20,250.00 for the purpose of funding expenditures, which will be reimbursed through approved State of Connecticut Department of Education Youth Services Bureau Grants.

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

16/17-12 Technology Lease/Purchase Approval

Acting Chairman Stokesbury that this request is consistent with both past practice and more importantly policy. The Town Manager reported that this has to be done in accordance with the Town's debt policy because we are exercising the debt power; the Board of Education does not have the statutory ability to do that, it is the Council and the Board of Finance. He noted that this request is for a 4-year lease, total anticipated value is about \$170,000. He added that very similar agreements have been entered into and he is told by the Superintendent that they seem to work very well. Acting Chairman Stokesbury commented that an important part about this is how far the Board of Education and Staff go towards pricing this; the reverse auction process has saved us hundreds of thousands of dollars. Mr. Pena commented that the program has been very successful and very good for the school and the Town.

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

RESOLVED: That the Town Council approve a 48-month lease agreement between Dell Financial Services, LLC and Town of Avon for the Board of Education to secure 538 Chromebooks and 20 mobile carts.

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

16/17-13 Review, Discussion & Approval: Avon Clean Energy Commission: Amended Charge

The Town Manager reported that this is the fourth charge that the Avon Clean Energy Commission has had since inception in 2008. He noted that we completed the Comprehensive Energy Management Plan in October 2012 and May 2016 we did a review of that Plan and executed well on a lot of the initial objectives. He added that the thinking at that point was to recharge the Commission and we worked with the Commission, in particular, the Chair, Bernie Zahren, and developed this revised charge for their consideration which they approved at their most recent meeting. He added that this serves as the platform for them to continue their good work. He noted that one of the projects that they have been looking at most recently is the potential application of a micro-grid to the Avon Village Center Project and we are in the process of scheduling a meeting with a consultant to learn more about what is entailed with it and see if it is worth pursuing. The Town Manager recommends approval of the revised charge. Mr. Pena commented that there was some communication that followed and if any language is included in this charge. The Town Clerk responded that at the meeting the Commission added three more

bullets to the charge. Mr. Speich questioned what has changed in the charge. The Town Clerk responded that they added wanting to remain being a participant of the Connecticut Clean Communities Program, they want to reach out to Town residents and schools for educational objectives on sustainability, and advocate to the State level for policies that enhance our ability to achieve greater sustainability. Acting Chairman Stokesbury commented that it is important to recognize that it has just evolved since 2008, has gone through many changes, and a lot of hard work by our Townspeople and members of the Commission. The Town Manager commented that the inception of the program was the 20% by 2010 and why it was created in 2008 and how it has evolved with the Plan and the execution of the Plan, the solar panel project; it has worked well. Mr. Pena commented on the energy savings provided by the schools.

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

WHEREAS, the Avon Clean Energy Commission, the “ACEC,” was appointed by the Town Council on December 4, 2008 (charge attached) with several objectives including ensuring that the Town met the 20% by 2010 Clean Energy Communities Municipal Pledge; and

WHEREAS, the charge of the ACEC was again amended on August 4, 2011 and included a request that the ACEC facilitate the development of an Energy Plan for the Town and Board of Education; and

WHEREAS, having facilitated the adoption of the Comprehensive Energy Management Plan, the “Plan,” (adopted by the Town Council on October 4, 2012), the charge to the ACEC was again amended by the Town Council on July 11, 2013 to include the goal, as identified in the Plan, of reducing the Town’s carbon footprint by 20% by 2020; and

WHEREAS, the ACEC reported on the status of the implementation of the Plan to the Town Council at a meeting held on May 5, 2016.

NOW, THEREFORE BE IT HEREBY RESOLVED, that the ACEC shall continue to consist of seven members, including a Chair, to be selected and appointed by the Town Council.

The charge for the Committee is as follows:

1. Continue to pursue the goals as identified in the Comprehensive Energy Management Plan as adopted in 2012 and work with Town Staff to identify and recommend additional goals that should be added to the Plan.
2. Work with Town Staff to identify clean energy opportunities involving the Avon Village Center Development.
3. The Committee shall identify new clean energy technology opportunities that show promise of being compatible and useful to the Town of Avon and its residents.
4. Continued participation in the Connecticut Clean Communities Program.
5. Reach out to the town residents and schools to implement educational objectives of sustainability.
6. Advocate at the State level for policies that enhance our ability to achieve greater sustainability
7. The Committee shall continue to provide periodic reviews and reports to the Town Council as necessary and upon request.

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

16/17-14 Plan of Conservation and Development

The Town Manager reported that the Planning and Zoning Commission is required by statute to hold a public hearing on the proposed Plan of Conservation and Development and has been

scheduled for October 18th. He noted that the last time Steve Kushner, Special Projects Manager, was before Council the Plan was approximately 85% complete; there have been a couple minor modifications since that time, some of it has to do with issues being overcome by events. He noted that we completed the feasibility study on the Old Farms Road Project and we know that we are not moving forward with the east/west relocation of the road and more of an improvement in place so the language has been adjusted in the Plan to reflect that. He added that we just received some comments back from the Capital Region Council of Governments (CRCOG), one of the outside bodies that review the Plan and makes comments and were very pleased to see the focus and the emphasis on sustainability because that dovetails with the Region's Plan of Conservation and Development but did have some minor recommendations with respect to open space and farm land preservation and identifying some additional tools the Town may be able to use to achieve those goals. He noted that Mr. Kushner will identify some of the tools that can be used for doing that, for example, allowing a farm to have a farm stand. He characterized these as minor modifications and not worth having Mr. Kushner come back for another presentation. He referenced a draft letter addressed to the Chair of Planning and Zoning Commission that makes clear that the Council appreciates the effort that has gone into the development of the Plan and specifically focuses on value and having the concept of sustainability incorporated. He noted that with Council's approval he would like to submit the letter to Planning and Zoning Commission to be read into the record for the public hearing on October 18th. Acting Chairman Stokesbury commented that it is a letter of support from Council to the Planning and Zoning Commission. Council gave the Town Manager consensus to submit the letter to the Planning and Zoning Commission.

16/17-15 **FY 17/18 Budget: Approve Capital Budget Review Schedule**

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

RESOLVED: That the Town Council approve the following FY 17/18 Capital Improvement Program Budget Review Schedule as provided:

Thursday, November 3rd	Regular Town Council Meeting (7:00 p.m.)
	7:00 p.m. Board of Education
	7:30 p.m. General Government
Wednesday, November 16th	Special Town Council Meeting (7:00 p.m.)
	7:00 p.m. Engineering
	7:30 p.m. Secret Lake Association
	8:00 p.m. Public Works
	8:30 p.m. Recreation and Parks
Thursday, December 1st	Regular Town Council Meeting (7:00 p.m.)
	7:00 p.m. Police Department
	7:30 p.m. Fire Department

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

16/17-16 **Approve 2017 Meeting Schedule**

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

RESOLVED: That the Town Council adopt the following schedule of meetings in accordance with P.A. 723 of the 1967 Session of the Connecticut General Assembly, the following list of scheduled meetings for 2017 and January 2018:

Thursday, January 5, 2017	7:30 p.m. – Town Hall
Thursday, February 2, 2017	7:30 p.m. – Town Hall
Thursday, March 2, 2017	7:30 p.m. – Town Hall
Thursday, April 6, 2017	7:30 p.m. – Town Hall
Thursday, May 4, 2017	7:30 p.m. – Town Hall
Thursday, June 1, 2017	7:30 p.m. – Town Hall
Thursday, July 27, 2017*	7:30 p.m. – Town Hall
Thursday, September 7, 2017	7:30 p.m. – Town Hall
Thursday, October 5, 2017	7:30 p.m. – Town Hall
Thursday, November 2, 2017	7:30 p.m. – Town Hall
Thursday, December 7, 2017	7:30 p.m. – Town Hall
Thursday, January 4, 2018	7:30 p.m. – Town Hall

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

16/17-17 Appointments: Deputy Fire Marshals

The Town Manager commented that Council may recall this item from last month when an item was on the agenda to appoint the Fire Inspectors. He was informed by Jamie DiPace that the Deputy Fire Marshals also need to be appointed in accordance with statute by Council and such is being recommended.

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

RESOLVED: That the Town Council appoint James Sansone and Tom Post to serve as Deputy Fire Marshals.

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

Acting Chairman Stokesbury asked if anyone else in the audience has a matter to bring before us tonight. Senator Kevin Witkos distributed some information to Council that he thought would be helpful during discussions regarding your athletic field. He commented that the Town Manager had sent him a listing showing State funding for turf field projects over the last few years. He reported that he went back even further to 2006 (which is attached and made part of these minutes). He noted that some are through the STEAP grant application through the Small Town Economic Assistance Program and are limited to a \$500,000 maximum; the legislator usually appropriates “x” amount of dollars and then up to the Governor to determine who is going to get the funds or not. He noted that given your discussion earlier you won’t get anything until the project is identified fully on what you want to do and potential costs; you can have variations but nothing will be awarded unless you have a complete package. He noted that Cheshire received funding through the Urban Act and would be tough for Avon to get any funds through that Act. He added that Derby received funding through a DEEP authorization, where they can use their pot of money for open space acquisition or any type of recreation. He highlighted that there was originally a \$20 million authorization that has been drawn down to an approximate \$5.7 million unallocated balance on the “credit card” of which the State could take out of that account (which is attached and made part of these minutes). He noted that the Governor during a Bond Commission meeting could say put something on there and it could simply be someone filling

out a letter request and is how a lot of these things happen, some of those are done by a vote like in Derby's case. He added that in January most of the unallocated balances will be wiped out because we will be preparing the budgets for the next biennial. He does not know if there will be another Bond Commission meeting before then. He noted that \$2 million under this category and is tied into the formula that we have with the State and based on how much revenue is obtained through the variety of sources that we have in our State and if we do not meet a certain income level then our bonding unallocated balance has to drop. He noted that when the legislator was there last time we had to wipe off about \$1 billion and we took \$2 million out of the DEEP authorization account and \$11 million wiped off the books for the Urban Act account.

Senator Witkos reported on the reduction mid-year in Education funding and has to do with Open Choice which is funded through per pupil expenditure ranging from \$3,000 to \$8,000 and through an incentive program which measures how many students you have in your school district that you have accepted on a percentage and scales it toward elementary and preschool grades. He noted that Avon was at the high end per pupil receiving \$8,000 per pupil and the rest of the money was through the incentive program. He added that in the last budget cycle \$1.8 million was cut from the Project Choice Program and the State Board of Education was not given any directives on where to take their money from so they have removed all of the stipends and as a result Avon suffered a \$115,000 cut in their Project Choice money as did Simsbury, Canton, and Granby. He reported that the Governor cut \$11 million from the magnet schools and under the State statute the magnet schools have a right to charge the sending district the difference between the two; it is based on last year's average per pupil expenditure minus what the State is giving this year. He noted that the State cut the magnet school reimbursement of tuition by 6.55% so the schools are going to pass it right through to the sending districts and will see an increase per pupil of 6.55%. He added that discussions are happening now about how that affects us since we are in the Sheff region and goes against what we were hoping to be a resolution for the lawsuit but they are getting around it because they have moved some of the Sheff funding money to charter schools to lessen the impact but in the end are still getting a reduction in that. He commented on today's Hartford Courant article about OPM preparing the budget for next year and the Governor is looking at potentially State Department of Education reducing another \$11 million from charter schools and \$31 million from magnet schools and will have a huge impact that will affect all of our communities. Acting Chairman Stokesbury questioned if there is any control by the sending district as to whether or not students attend the magnet school. Senator Witkos responded that it is State statute and will be your topic of discussion. He noted Judge M___'s decision on the whole funding of education and sure that will happen when the legislature is seated, they stay in their appeal so nothing is going to happen until that is determined at the appellate level. He noted the announcement this morning of the potential closing of two technical schools. He thinks it will dry up a lot of these discretionary, allocated monies; rather than do that why not put towards a constitutional mandate that we have to provide a quality education to our students. He thanked Council for the opportunity to share this information. Council thanked him for coming to the meeting.

IX. TOWN MANAGER'S REPORT/MISCELLANEOUS

Misc. A: Purchasing Update: The Town Manager reported that we have a Request for Information out looking for consultants that are pre-qualified through CRCOG to help us with the Old Farms Road Project; this is a very good job for a consultant who really understands all

the different federal transportation programs that we have not had a lot of experience with; our goal is to get this project in design development sooner rather than later so we can firm up a cost estimate for the project.

The Town Manager reported that Engine 7 will be coming in by the end of the month and we are working on the floor reinforcement for Company 4; the Assistant to the Town Manager added that the work at Company 4 should be done by mid-October. Acting Chairman Stokesbury questioned the broader scope of that work, including the drainage, and if that was within that statement. The Town Manager responded yes, and they are doing additional work that the Fire Department felt strongly about, like improving the restroom facilities in the basement area and while we are into it we might as well expand the scope of the project and get it all done. Acting Chairman Stokesbury questioned the funding source. The Town Manger responded that we have up to \$150,000 in the current year capital budget for Fire Company Improvements.

The Town Manager reported that the Director of Public Works will be turning his attention back to the Police Department Project now that paving is essentially buttoned up for the season. He noted that these are good inside projects. He reported on the Avon Middle School Science Lab Project which is with the Board of Education now; the cost estimate came in multiples higher than the original budget appropriation so they will take a look in context of their other capital priorities and let us know what they would like to do. He added that they can either try to do something in terms of fit and finishes or re-appropriate the funds to other priorities that they have.

Misc. B: Construction Update: The Town Manager reported that work at the Fire Training Center is going along great and we should be out of that site by the end of October. He noted that the Old Wheeler Lane Bridge is 99% complete with a few punch list items remaining; the contractor has also been working with the Land Trust, who owns a piece of property between Old Wheeler Lane and Lovely Street as there is some restoration work to be done. He reported that Road Improvements are done for the season and noted that Wyngate, Highgate, and the Senior Center parking lot were on the schedule for this year but will get bumped back to next spring. He added that absent some major change over the winter where priorities have to be re-shuffled these are the roads that we will start with and complete the Senior Center parking lot prior to the pool opening. He noted a change under the Sycamore Hills Pool Project that the Director of Recreation and Parks and Director of Public Works have done some additional investigation and rather than going with a traditional shingle roof on the pavilion we might want to look at a metal solution so we will bump this work that was scheduled for this fall, investigate that option, it is much more expensive to get a much longer useful life out of it so it may be necessary to put something in the capital budget for FY 18 to complete it so it may wait until next summer. Acting Chairman Stokesbury questioned where the money is now. The Town Manager responded that there is an appropriation in capital for Sycamore Park Improvements and have been drawing on it for pool improvements, the Senior Center improvements, and what we were going to use for the Sycamore Hills pavilion. Acting Chairman Stokesbury questioned if there are any more issues with the pool now that the season has come and gone. The Town Manager responded nothing that he has heard of. He reported that STEAP Phase IV has been moving along quickly. Council commented that it looks great. The Assistant to the Manager reported that most of the sod is finished. The Town Manager commented that we have coordinated with all of the abutters and everything is going fine.

Misc. C: Fire Station Study Committee: The Town Manager reported that this item was first discussed at the budget workshop in February. He is working on a charge for a Fire Station Study Committee. He noted that the idea for a new fire station in the northwest area of Town has been out there for a number of years and was originally in the 2006 Plan of Conservation and Development (POCD) and the need has carried forward to the 2016 POCD. He added that an option would be to have an external sub-committee work on this or go with an internal sub-committee. He noted that the charge will be along the lines of a preliminary review of the need for a new fire station, defining what the problem is that we are trying to solve, and identifying if a new fire station is the correct solution for the problem or are there other solutions that could be considered alongside a new fire station including enhancing our mutual aid agreements with neighboring communities or building storage areas for apparatus that could be more strategically located. He added that the purpose of this would be to take a close look, define the problem, come up with a couple of solutions, and come back to Council with a report. Mr. Speich questioned if this will also include looking at our current facilities and seeing if those can be changed instead of a new facility; that should be one of the options. The Town Manager responded that he did not incorporate that. He noted that there is an approved plan through the Planning and Zoning Commission to expand Company 1 to include additional office space and additional bay. He added that maybe when he brings it back that is a change we would like to see, to make it broader; the Fire Department has suggested in the past that perhaps we need to do a full blown facilities study of all fire stations before we invest a lot of capital dollars into them. He commented that regardless of what we do with the facilities, there are going to be improvements that need to be made: Company #3 needs a new kitchen, there was the work that needed to be done in Company #4; he does not think that we should install a new heating plant in Company #1 until we identify whether or not the building needs to be installed. He added that there is time and projects will be identified for FY 18 that have to be done regardless and his goal is going to try appropriate capital dollars to meet those needs.

Misc. D: Broadcast of Town Council Meetings: The Town Manager reported that at Council's July meeting a resident made a suggestion about broadcasting Town Council Meetings. The Assistant to the Town Manager did some very good work staff work on this and for the November meeting the Town Manager will include an agenda item to give you an idea on what other communities have done, what their experience has been, and get some direction from Council on this item.

Misc. E: Household Hazardous Waste Collection: The Town Manager reported that the next collection is November 5th. He noted that it has been working pretty well. He added that it has been two years now since we worked with the MDC. Acting Chairman Stokesbury commented that the collections are never in Avon now. The Town Manager responded that they are not; we could pursue trying to have one here. Acting Chairman Stokesbury questioned if there is an impact for Avon residents to go over to the Public Works Department in Simsbury and getting in line. The Town Manager responded that even when MDC did it, it was never in Avon; it was held in Farmington. Mr. Pena commented that perhaps we could make that request. The Town Manager responded that he will look into that as a possibility for next year. Acting Chairman Stokesbury commented that he would be interested in seeing how many more residents take advantage of it if it's closer.

Misc. F: Fisher Farm Lease Agreements: The Town Manager reported that we are at the end of the first term for the Fisher Farm lease agreements, three years later. He noted that we have one agreement with Logue for the property on the east side of Tillotson and north of the playing side and on the west side we have an agreement with Phillips. He added that the agreements incorporate a two-year option and the original agreements expire on December 31, 2016. He will be meeting with both lessees and there are a couple of minor modifications that we want to see in the agreements that the lessees should not have an objection to. He spoke with the Town Attorney to exercise the options, we need to have a Public Hearing and have Council's approval. Acting Chairman Stokesbury commented that it would allow us to allow them to extend. The Town Manager responded yes; there is language in the Charter that says a Public Hearing and Council's approval is required prior to the Town entering into any lease agreements for real estate. He added that this will be on the agenda for discussion in November with the Public Hearing scheduled for December. He noted that he will be coordinating with Farmington with Phillips side as they have the lease agreement for the outbuildings and the barn. Acting Chairman Stokesbury asked the Town Manager to make sure all of the planning coincides with any work at Fisher Meadows for fields. The Town Manager responded that he will.

X. EXECUTIVE SESSION: Pending Claim/Litigation
Collective Bargaining

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

RESOLVED: That the Town Council go into Executive Session at 8:50 p.m.

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

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

XII. ADJOURN

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

RESOLVED: That the Town Council adjourn the meeting at 9:00 p.m.

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

Attest:

Ann L. Dearstyne, Town Clerk