

**AVON TOWN COUNCIL  
MEETING MINUTES  
APRIL 7, 2005**

**I. CALL TO ORDER**

The meeting was called to order at 7:30 p.m. in the Selectmen's Chamber by Chairman Hines. Members attending: Mrs. Hornaday, Messrs Carlson, Shea, and Woodford.

**II. PUBLIC HEARING: 04/05-78 Acceptance of Parcel of Land: Haynes Road**

The Town Clerk read the call of the Public Hearing as follows:

“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, April 7, 2005 at 7:30 p.m. at the Town Hall, Selectmen's Chamber, 60 West Main St., to consider the following:

To consider and permit all interested persons to speak on the plan of the Town Council to accept on behalf of the Town of Avon a parcel of land known as 135 Haynes Road.

Dated at Avon, Connecticut this 30<sup>th</sup> day of March, 2005.

Philip K. Schenck, Jr.  
Town Manager”

Chairman Hines reported this parcel is not saleable due to wetlands, the property owner is delinquent in taxes dating back to 1995, there is no money available to pay the taxes of \$1,750 owed now, the estate is insolvent with no ability to pay taxes, and the Attorney for the estate has agreed to give it to the Town in lieu of foreclosure. It has some potential for the Town as it abuts the Smith Farm, which we are always interested in for open space, so it is something that looks like it is an attractive item.

The public hearing was closed at 7:32 p.m.

On a motion made by Mr. Shea, seconded by Mr. Carlson, it was voted:

**RESOLVED:** That the Town Council accept on behalf of the Town of Avon, a parcel known as 135 Haynes Road.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**III. MINUTES OF PRECEDING MEETING**

On a motion made by Mrs. Hornaday, seconded by Mr. Shea, it was voted:

**RESOLVED:** That the Town Council accept the minutes of March 3, 2005 as read.

Mrs. Hornaday, Messrs Hines, Carlson, Shea voted in favor. Mr. Woodford abstained absent from meeting.

**IV. COMMUNICATION FROM AUDIENCE - None**

**V. COMMUNICATION FROM COUNCIL**

Mr. Woodford reported he was very pleased with the budget process this year and last night, and it came out the way a lot of us wanted it to. He would praise two administrators in the Town that is the Town Manager and the Superintendent of Schools, as they did a great job starting out with budgets, that we could work with easily. It was a good process, and a good budget.

April 7, 2005

Mr. Carlson reported he would like to give a brief update on the Facilities Maintenance Committee. We met earlier this evening, and took a tour of Roaring Brook School. He must say that the Board of Education and the staff, that they are doing a very good job on the maintenance of their facilities. They have certainly improved over where they were seven to ten years ago. We looked at a CRCOG study of other towns throughout the State, to see what they are doing in that area, that will be part of our report back to the Town Council. We have also looked at some potential combination of services and a potential ongoing working committee which may be part of our recommendations as well. There is nothing big that we would want to recommend, but we will come back to the Town Council to update the 1998 study, stating what has been done, if anything in some cases, to address the recommendations of that Committee, and lastly our own recommendations. Our next meeting is not until June, as there are scheduling issues in May, we will return in August with our final report. He further reported the reasons there is no silver bullet, is frankly the improvement in the staff, and their focus on the positions that were made in 1998, they are to be commended. The Town Manager reported he would concur with Mr. Carlson's report.

Chairman Hines reported he has two brief items. When you look at the new Police Cruiser we saw tonight, all of the markings came from Reflexite. Chief Agnesi has sent letters to Reflexite thanking them, it would be nice to send a letter from the Town Council thanking them for all they have done, in continuing to help us with all of the vehicles, whether it is the Police or the Fire Department.

Chairman Hines reported the second item is the ribbon cutting for Sovereign Bank, where he had the opportunity to talk with Kevin Witkos about this real estate conveyance tax, he stated we should not count on it. Chairman Hines reported he met with CRCOG Executive Director, who stated they cannot help us on this, as they have conflicts on this issue. We agreed to an outside consulting agent, recommended by CRCOG, to do some lobbying for us at no extra cost to us, as the real estate people were there lobbying very strong, and human rights people are saying that this is exclusionary and causing problems. There are no facts to say that this caused any problem. This would be the only opportunity we have to get a tax beyond the property tax, we want that opportunity.

Chairman Hines reported he met with the CRCOG Personnel Finance Committee, their Purchasing Committee. The Town Manager has suggested we have our own Purchasing Agent, to help both with the Town and the School, as there are big savings. In the interim, as we may take a long while to do that, CRCOG will probably expand their efforts to look into greater areas that what they are doing now, that might help us. We encourage them to do this, and with the fees we pay, just about every town would get savings about twice that back, so it has been beneficial, and maybe we can expand it, and we will look into the possibility on a regional basis to help out. Some time down the road if we get our own purchasing agent, we may save even more, but in the interim this might make some sense, and he will work closely with the Town Manager on this for ideas, to see where we are going.

Mrs. Hornaday questioned whether there will be a meeting in May, where former members of the Town Council would attend. Chairman Hines questioned whether it would be May 3<sup>rd</sup> or 5<sup>th</sup> for the meeting. The Town Clerk reported there would be a Special Town Meeting on the 5<sup>th</sup>. The Town Manager reported we could use April 25<sup>th</sup>, which is on the high school project, we could double onto that the regular agenda items. Then we would have May 5<sup>th</sup> at the High School for the 175<sup>th</sup> Anniversary Special Town Meeting. The Town Clerk reported the present Town Council Members are certainly invited and included in that program, to be honored as well, invitations will be sent out. Chairman Hines would be called upon to open the Special Town Meeting, then name a Moderator, who would be the Chairman of the 175<sup>th</sup> Anniversary Celebration, who then would proceed with the program which will be conducted as a regular town meeting. There will be a reception sponsored by the Town Council

which will incur some costs. The Town Manager reported we have money in the Contingency Account, to do that, and also funds potentially through the 175<sup>th</sup> Anniversary Committee for some of this.

## **VI. OLD BUSINESS**

### **04/05-12 FY05/06 Budget: Avon Volunteer Fire Department**

Mrs. Campbell, Board President of the Volunteer Fire Department, reported we would like to discuss one of our concerns from our budget, regarding personnel. Mrs. Gugliotti, of the Fire Department, reported it has been expressed that we have not communicated our needs as clearly as we should have in the past. This is an opportunity to show exactly what we are basing it on, and some of our concerns, and the reasons why we ask for them. Particularly in this case, an Administrative person, a full time position was requested. We are a volunteer department, with 115 volunteers, 70 firefighters and 45 support members. We run anywhere between 550 to 600 calls a year, and we maintain a professionally operated fire department, even though we are volunteers. The mission of the Department is to provide fire suppression and prevention, life safety and rescue support as well as other emergency community support to the citizens of the Town of Avon. In light of the budget concerns we would like to work with the Town Council, and we do understand the constraints, and are willing right now to attempt a restructure. Originally we did ask for a full time administrative person, it has been recommended that we possibly do a restructure, but two of the things that we are going to need is that we are going to need someone with some organizational competency in that position. Right now with the part time people, that we have, it is severely lacking, we need more hours in order to provide the overlapping consistency of efficiency and a well managed department. Although we are willing to work with this restructure going forward for this year, we would like the Council to recognize that potentially the solution may be a full time person for us, and a part time secretary in combination with that.

One of the reasons we are attempting to restructure, it may be that the people that we have are not melding as much as we would like, or is just not enough hours for them to communicate and transfer information well enough. Basically they do not overlap at all, you have one person working a couple of hours, another person working a couple of hours, they do not talk, so it is like having two separate entities that never really work together as a full time person would. As we go forward into some of our needs on record keeping and things that just cannot fall through the cracks, things that cannot be dropped that are being dropped right now. One of the main issues that is facing most volunteer fire departments in the nation right now is that administrative portion of the business.

She further reported right now with the currently budgeted hours, basically on the face it looks like what is currently offered in the budget which is a 30 hour and a 15 hour would work, it makes sense, that is 45 hours a week, that is 2,340 hours a year, and to get 7.5 hours a day coverage, which is a full time person in the office, that comes out to 1,950 hours a year. That does not account for the extra time requirements that we have for meetings, and two hours per week for drills, 3 hours a month for board meetings, and 3 hours per month for officers meeting, that comes out to 2,126. It still looks like we have extra hours, which works on two basic assumptions that these two people will never see each other, and that the only requirement we would ever have in a maximum week would be 45 hours. But if you actually looked at the numbers, 8 to 12, 12:30 to 4:30, that is 4 and 4 so that you get 8 hours there, even if we gave them 1 hour overlap which is barely enough time to walk to the door, that is still 45 hours, still looks pretty good. But if you look at our maximum hours per week, at 9 hours a day, you get 45 hours, then you have to add in those 2 hours for drill. In a meeting week which all happens all at the same time, we would meet 53 hours. What the Volunteer Fire Department is proposing, is that we would really need a 30 hour person and a 25 hour person, which would give us 11 hours a day, then most of the days it would cover, some days it would not, and some days it would more than cover. This would allow us to have a couple of hours during the day where these two people could overlap, share

information, help us out, and also cover all of the meetings that we need, in addition to the day to day things, such as letting people in.

Mrs. Gugliotti reported we hired our current secretary in 1993/1994, we had fewer calls back then, fewer members and a lot fewer paperwork requirements. The biggest pressure on volunteers in the United States is the greater time demand, not only from the fire department, from at home, from at work. None of us have extra hours to spare right now. We are also responsible for more training now than ever, we never had terrorist threats, hazardous materials incidents to respond to, and technical rescues, we now rescue dogs, we do everything.

Mrs. Gugliotti reported these are the things that we are required to do that we are not necessarily getting done, as well or as completely and thoroughly as we would like, and we feel that it is an issue. There are a lot of legally mandated requirements, everything from federal to OSHA to EPA, and incomplete documentation leaves us all vulnerable. Critical record maintenance, we need to keep records up to date, we need somebody to assist us with the data entry, because we are not there on a daily basis, we are there doing other things. We need a single point person in a centralized location for all of these documents that we have, and somebody to keep us really concentrating on the important documents. Some of these records include training records, spirometry, diversity training, incident command, fit testing. Any one of those items is left undone, unchecked, and there is a problem, an injury or a liability, we are all in trouble. The National Fire Information Reporting System, the actual requirement right now, is that these reports be submitted within five days of incident. Sometimes we do not have the volunteers around to do all that, right now it is only linked with a minor penalty, the chance for it to be linked to federal funding in the future does exist and we would like to be ahead of the curve with something up to date, doing this on a day to day basis like it really should be done. The MSDS records are something similar to the training records, again we need to keep those in there, there is a federal statute for right to know, all of those things need to be up to date. What we visualize happening is that a lot of volunteers will be responsible for these records, they give the information to the person in the office, make sure this gets entered, filed and accounted for. We would like to consider ourselves professional fire fighters and we would like to be professional administrators as well, but not all of us can fill that gap. There are other things that need to be done as well, we need a communication point person, right now if there is not one person sitting in the office, so if the Chief comes in and says he needs to see this person for something, then they come in later in the day, that message does not necessarily get relayed as well as it should. If there were someone there 8 hours a day, that would happen. Again, scheduling and follow up on third party maintenance, now we depend upon a lot of Town employees to come and open up the buildings, let people in, make sure that the trucks get maintenance, again just even scheduling the appointment for them to come in, things like that.

We need someone more in the office, not someone that is going to manage the fire department, the volunteer's manage the department, we just need help with the office management part of it. This would be the first step in going in that direction, without having a paid department. The person would do budget organization, grant writing assistance, accounting coordination, all of these items that are currently being done but on a part time basis. It is nothing more than what an executive secretary would do, although the exact title for that she is not sure of.

Mrs. Gugliotti reported some of the other tasks would be point system management, quality assurance, attendance monitoring and tracking for tax abatement, people management to coordinate bringing in new recruits including paperwork, point person for information dissemination everything from insurance benefits, to wellness programs, blue light permits. This is the person that is in the office 8:00 to 4:30 and you can go in and ask them all of the things you need to ask, instead of having to go all over and not

really knowing what person is in charge of what, they can point you in the right direction even if they are not in charge of doing that.

In summarization we need to concentrate on things that are most important as firefighters, on prevention, training and emergency response. The additional fire fighting requirements that we are needing to do right now, have left less time for all of the administrative things, fund raising and public education, which is why we have asked for this. Chairman Hines questioned who would oversee this person. Mrs. Gugliotti reported it would be the Board, but mainly the President and the Fire Chief. Chairman Hines reported that sounds like it is a very important part, all of things that you have brought up here shows that there has to be a lot of management, help and training to make this happen or we are not going to be any better off than you are today. Mrs. Gugliotti reported that is what we recognize as a board that the management part is one of the things that is very important to us but we do need this person to be almost on a full time basis for it to work.

The Town Manager reported tonight this is perhaps a much clearer demonstration of the complexity, the variety, the level of skills that are needed. In some of the discussions that we have had, particularly ones recently, we have come to the conclusion that maybe what we have has served its purpose well up to this point, but it is time to move on to the next level. He has no problem with taking what the fire department has put together here, working with them, and putting together a new job description that basically looks at what they want to accomplish, then looking at restructuring that over the next year. We may have enough money that we can already reorient things with a little help from the Town Council mid-year and move on into something that more fits their needs. With tonight's presentation which is very clear and tended to focus in on the issue much more, he is very supportive of what the department is doing, and feels very comfortable with what they put here.

He further reported he is comfortable with where they want to go, from an administrative standpoint, but it is a Council policy decision, from what he has seen and heard he favors moving ahead with this so that we can implement it. He does not know what the additional resourcing might be at this time, until we go through the process.

Mr. Shea reported this is an outstanding presentation, very impressive. He questioned how the Town Manager would, from an administrative standpoint, take this and implement it dollar-wise. The Town Manager reported first of all, we would work with whoever the department was going to put on the project out of their leadership, sit down with them and the Human Resources Director, and work up a job description that has this knowledge, skills and abilities that they are looking for. We would then go out to make sure and see how it fits into our job classification and pay plan, then we could compare it against what we had budgeted and what we would need to have budgeted, and if there was a shortfall, and there might be, probably certainly on the benefit side, there is going to be a significant shortfall. Mrs. Campbell reported we took a look at the Administrative Secretary job description, and it really was not that far from what we need. The Town Manager reported we have to be cognizant of and sensitive to the people that we currently have there, in terms of how they might fit into the picture, or might not, and have to deal with those issues. This is a good overview of the knowledge, skills and abilities that are needed. Mr. Woodford questioned whether we are talking about two part time or one full time. The Town Manager reported we are probably looking at a full time person, of a different caliber than what we have, much more office manager type of person. It would probably be a full time person that we are moving towards, then we would eventually backfill with part time people in certain areas. Mr. Woodford reported they would be Town employees. The Town Manager reported the existing system has worked pretty well, we have not had any employee personnel problems, in terms of management oversight, they understand they are Town employees, but on the other hand the operational controls pretty much rested with the Chief, and he has not heard any problems with that. From a personnel

management standpoint they are Town employees, and they would be responsible to the Town. He would like to work on this, while he is not ready to make a formal request for funding or anything until we know the dollars, their needs have been well defined. Depending upon what he develops, he may return to the Council by next January, with a plan that we can do this, we can move things around, and we need 'x' amount of dollars.

It was the consensus of the Town Council that the Town Manager proceed with the process to develop a job description and pay scale based upon the expressed administrative needs of the Fire Department, in coordination with the Human Resources Director and Chief DiPace.

**04/05-14 Country Club Road, Award Bid for Asbestos and Lead Paint Removal**

On a motion made by Mr. Woodford, seconded by Mr. Shea, it was voted:

**RESOLVED:** That the Town Council award the bid to the apparent low bidder Abide, Inc. in the amount not to exceed \$6,405 for asbestos and lead paint removal at 267 Country Club Rd.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**04/05-49 Approval Avon High School Renovation/Building Costs**

The Avon High School Renovations/Building Committee Chairman reported on Wednesday morning the Building Committee met, and we now have the final project costs, the figure to go to referendum whenever you choose to, which has been verified by the Pike Company, is \$25,998,000, when you calculate in the State Reimbursement of 26.07%, the estimate becomes as the bottom line cost to the Town of \$19,590,386. We have preliminary plans and schematic drawings, or whatever may be needed for a Town wide mailing. If we are going to have a Spring referendum, we have to finalize fairly soon, if that is the plan, so that we can get together and get it out as soon as April 23<sup>rd</sup>, which is about the soonest it can be ready at the present time. Chairman Hines questioned when we would have to decide on a referendum date. The Town Clerk reported the decision should be made after the brochure has been mailed, a town meeting date nor referendum date can be determined or listed before that.

The Committee Chairman reported the Architect is preparing the time line based on a spring referendum, and we will proceed with the mailing. Chairman Hines reported a good thing that we learned tonight was that the Architect had an outside outfit make cost estimates and it confirmed his costs, so that we have more confidence in the number to go to referendum with. The Committee Chairman reported it came within \$50,000 of the Architect's.

**VII. NEW BUSINESS**

**04/05-79 Review, Discussion and Approval of Defined Benefit Pension Plan, Investment Policy Change, solicitation of Custodial Banking Services, Selection of Alternative Investment Managers and Evaluation of Administrative Needs: Chris Kachman, UBS Financial Services, Peggy Colligan.**

The Director of Finance reported in the fall Chris Kachman of UBS Financial Services, our Investment Advisor, was here to discuss the Defined Benefit Pension Plan, and the Post Retiree Benefits. Tonight we will discuss his evaluation of the Defined Benefit Plan, the Administrative Services, the Performance Review. The booklet contains some points and some recommendations for review. We had a special meeting of the Ad-Hoc Pension Investment Management Committee March 22<sup>nd</sup> and we are recommending what Mr. Kachman will be presenting.

Mr. Kachman reported he works with UBS Prime Asset Consulting as an objective evaluator on behalf of the Town, the Investment Manager is employed by the Plan. He tracks the manner in which the assets backing the plan and how the liabilities are allocated, the administration associated with and the

costs effecting the plans and being a set of eyes for the Town. There are two main parties that do work on behalf of the Town, the underlying investment management of the pension plan assets are administered by ING Investment Management, formerly AELTUS Investment Management, and the AETNA Life Insurance Company does the administration of the plan in a sense of making pension payments, guaranteeing those pension payments, 1099 reporting and the like - the two main parties to the plan. The five Pension Plan Portfolio Balances are listed as of the end of December, for the Board of Education, Dispatchers, Non-Organized, Police and Public Works, with an aggregate total of 19.8 million dollars. On a per annum basis for the last five years, which we call a full market cycle, ING has generated a return of 2.46% for the Board of Education, for instance, the benchmark is a comparative, a set of indices that mimics their target allocations, that says with these many domestic and these kinds are what the market at large is giving, which shows 3.14%. By hiring a manager and paying them a fee you would hope that it would generate performance in excess of the benchmark. One of the concerns we have had with ING, on a five year basis, across all five of the plans, none of them have been able to achieve performance above benchmark. Over the past five years there have been some bad periods and some very good period, and for a firm like ING they have had sufficient time to show their wares, and in the ten year number for those plans that are participating are not in line as well.

There has been a great deal of patience exhibited by the Town, in our estimation it is time for a change, frankly the performance is just not there. ING provides investment management, asset allocation and custody services, therefore all of the money is with ING, the plans are insufficiently diversified right now. With roughly \$20 million today the Town can access what we call best degreed investigators, if you want to do international stocks, you can identify a specialty manager to do that, if you want to go with bonds you can identify a specialty manager. You are really not limited to having just one entity responsible for all the different types of investing in the plan, it is just not the model any more. If you talk with peers in other municipalities around the State, the vast majority of them have gone to a model where they have distinct specialty managers for different assignments. If a plan is more diverse it stabilizes the return stream and if something does go array with one of those entities, you can just eliminate and sever that from the plan and replace it as opposed to having to deal with an evaluation of ING and multiple mandates in getting the situation level, so it is a clear solution administratively as well.

Mr. Kachman reported when the Town first went with AELTUS, about ten years ago for some of the plans, there was certainly a sense of truism with them being a local firm with local people living in the community, very competent in some things, but not as competent in others. That organization has changed dramatically over the last ten years, they are no longer an independent organization, they were bought by ING, which is a Dutch Financial Services firm, most of the folks that were responsible for administering the actual assets day to day on an investment basis when the Town hired them are long gone from the organization, it is a very different organization today. When there is that type of turnover in personnel and investment professionals, you often see performance wane, and as the numbers show that in fact has happened. The fees charged by ING are competitive with other plans, but their performance is not what it should have been, therefore we are recommending to make a change, the AD HOC Pension Investment Management Committee agreed.

The Town Council was in agreement to make a change in the Town's Pension Investment Management Plan.

Mr. Kachman reported Aetna is performing adequately, and administratively on behalf of the plan has been responsive to pensioners, and we are inclined to keep them for the time being for this portion of the assets, in providing guarantees, benefits payments and other ancillary administrative services. The Town does have the flexibility, to extract some funds from Aetna for redeployment in the broader

pension investment portfolios, back into the underlying pension funds, the five pension plans, and our recommendations to the investment committee was to bring the \$330,000 back in, there is better return potential in what we are going to recommend on the underlying pensions, you might as well strip that money out as there are no penalties associated with it, it is free and clear and available to the Town. We do have a recommendation to take out that \$330,000, put it back in as newly allocated plans, and you should have a better return opportunity. The \$1.1 million, in the Annuity Allocation has to stay there, it is backing the guarantees and needs to remain. It is an annuity set aside for the existing pensioners and they draw on that annuity balance to fund the pensioner accounts. The fees that Aetna charges aggregate to approximately \$30,000 per annum, if you add up all the contract charges and various activities based on the number of mailings and whatnot, the \$30,000 with a magnitude of activity is market competitive as well.

Chairman Hines questioned the process of eliminating a company presently managing the funds. Mr. Kachman reported the process is usually contractual with a notice of either 30 or 60 days, we would have to grant that notice and give them the opportunity to do what they have to do administratively. You are going to need some lead time as well, to go out and do the custody vanguard RFP first, to identify that entity so it is in place, so there is a holding mechanism, if you will, once the decision is made to change, then those assets can transfer naturally. Mr. Shea questioned how much Mr. Kachmar's firm is involved in the analysis of who should represent us on the other funds. Mr. Kachmar reported we are going to very specifically sit down with the Pension Board and identify candidate firms, and talk you through the pros and cons of each, it is all part of our services, as is helping work up the RFP for the custodian banks and doing those evaluations as well.

The Town Manager reported by way of historical frame of reference you have to realize that up until about 1994, we did not even have \$5 million, and we were told that the way to invest that at the time was to basically keep it in with one firm and work it through their products. Until we hired Watson/Wyatt as our Investment Advisor, the fund is now up to \$20 million, and we basically have grown over the past ten years to that point, we have had our ups and downs with the market, but it is now time to move to the next step, which is further diversification, with different managers, and particularly in light of the performance that we have had here, it is time to move on. Mr. Shea reported when looking at that many different managers, he was hoping, and as we have just learned we would have some professional assistance in that, because the coordination of that will have some technical aspect to it. The Town Manager reported we went from AETNA handling everything to where we have five or six different vendors in place here. We are administratively, the Director of Finance and himself, monitoring all of this along with the Ad Hoc Pension Investment Management Committee, we provide copies of all of the reports and everything else to the bargaining units of the Unions. But as you know, this whole part of pension system is being sunsetted, they will now have fewer people in this system than we do in the Defined Contribution Plan.

Mrs. Hornaday reported when talking about this Committee, are people chosen for their position on the Committee based on the position they hold for the Town? The Town Manager reported yes generally, when it was set up the Town Council controls the appointments, controls the mission of the Committee, it was set up to look only at the investment management issues, not to look at what benefits employees got, to deal with the employees or anything else along with that. It was strictly designed to be an oversight group to monitor. Mrs. Hornaday reported the members would be listed as Town Manager or whomever holds those positions. The Town Manager reported the only one that was not, was the Chairman of the Board of Finance, Mr. Herrmann as its Chairman was originally appointed, but continues to serve on the Committee by Town Council approval.

On a motion made by Mr. Shea, seconded by Mrs. Hornaday, it was voted:



**RESOLVED:** That the Town Council adopt the Action Steps as recommended by the Ad Hoc Pension Investment Management Committee, for changes in the Town's Defined Benefit Pension Plan Investment Policy as follows:

Based upon the recommendation by the Town's Investment Advisor UBS Prime Asset Consulting, the Town to issue a Request for Proposals (RFP) for custodial services, presently being performed by ING, Aetna to retain handling of the administrative functions.

**FURTHER RESOLVED:** That the Town Council approve the Town pursue moving from a single manager to a multi-manager approach, as outlined in the UBS proposal, and that UBS work on this strategy over the next few months.

**BE IT FURTHER RESOLVED:** That the Town Council approve a transfer of the designated Withdrawal Value funds from the Aetna General Account, in amount \$329,723, to be reallocated within the Investment Portfolio.

Mrs. Hornaday and Messrs Hines, Shea and Woodford voted in favor. Mr. Carlson abstained.

#### **04/05-80 Review and Discussion: Steve Kushner**

##### **a. Comprehensive Plan – Center Study**

The Town Planner reported the Planning & Zoning Commission adopted the Avon Center Plan, it is very similar to the earlier draft. We had five public meetings, the last meeting the Commission had was well attended, there was some advanced information, many good questions were asked and good comments were made, many of them positive, although it was a negative crowd. The Planning & Zoning Commission took those recommendations into consideration, made some additional changes, and adopted the plan.

The recommendation for Towpath School, covered at two prior meetings, are similar to what the Town Council has heard, we made some refinements to them, based on what we received. There are four different scenarios now in the plan, but they all essentially contain similar recommendations, with some type of mixed use development on the Towpath School property, should the Town Council decide to sell the property. We talk about the possibility of either preserving those buildings, or possibly demolishing the buildings, there seems to be some strong sentiment at the public hearings, it was apparent that there is some strong emotion of attachment, which those of you who attended that school are aware. Although the building itself is maybe not historic by some definitions, as it was built in 1949, there is some strong attachment anyway. We focussed on possible uses of that building including uses that would provide certain kinds of community services, like a community center, a community theater, a place of public assembly that would provide some kind of community service, at the same time it would tend to draw people downtown, in turn maybe have some positive spin offs where those people that are now downtown might take advantage of some other opportunities downtown. The Planning Commission was very cognizant of their role in that, as it is not their job certainly to prioritize what uses or what demands there may or may not be, or what kind of priorities the Town should have for using space, but the Commission continues to repeat to the audience and amongst themselves, that their job really was with the land use plan prospective amongst the menu of all of the land uses that are possible out there, and what made sense form a land use prospective.

The other thing that the report talks about the Towpath School would be that the property is large enough we think to accommodate some kind of mixed use commercial development along Simsbury Road. We talk about buildings that would be still appropriately something of the size of Riverdale Farms, Old Avon Village, with structures in the center, two story wood frame buildings of a colonial character, pushed out close to the street, to mimic the architecture in the design of the older structures that are still left in the center. This is the first part of the overall comprehensive plan that the Commission has actually concluded their public hearing process on and adopted.

Mr. Woodford questioned if the Town Planner was confident if we decided to sell the building to a developer, that you have enough to control what we want there. The Town Planner reported these are a planning tool, but they are a series of recommendations, they are really not the regulations, they really would not empower the Planning & Zoning Commission to shape it in that way. The way to do that would be to (1) the Town Council could control that by preparing specifications and an RFP, so we kind of narrow the universe with regard to the kinds of proposals that we would even be willing to receive. We could frame out the scope of the RFP in a way that says, here are what our expectations are, the we could go through a process where you would listen to presentations by individuals or companies that are interested in buying the property, and select whoever best met the parameters that were spelled out in the RFP, as well as the guidelines in this document. What needs to happen as a companion to this, is that the Zoning Regulations would have to be modified. We talked in here about the need to change some of the regulations to provide some flexibility to allow buildings that kind of mimic the style in which they were built in the 19<sup>th</sup> century. But at the same time give the Planning & Zoning Commission the regulatory authority so that they really have the muscle to shape it.

The Town Planner reported after the proposals have been received, and the Town Council was comfortable with a group or proposal, the Planning & Zoning Commission has a lot of regulatory authority both under existing regulations and these new regulations we are adopting, so there would be another series of public hearings, special permits, zone changes, so that it gives the Town Council enough discretion to say yes or no as to whether the proposal was appropriate. Chairman Hines reported the Council has had only brief discussions on this, but there was one discussion recently, which said we would not try to define all of the requirements in the RFP. We might talk about some of the parking we would like to have nights, weekends, off hours, there are boundary issues we may need to take care of, but maybe we would just want to go out and see what people might propose. But if regulations are not set up, perhaps we should wait for the Planning & Zoning Commission to have time for their regulations to be in place first, and we would just ask for a general and did not define everything in too much detail. The Town Planner reported he is comfortable either way, because even though we do not have special regulations, we have zoning regulations for that property, and the regulations right now do not permit the kinds of things that this report really encourages. So at best anyone responding to the RFP would know that they would have to come to the Commission and satisfy the Commission because it would be a zone change, change to the regulations, and special permit process, in a way it does give us the control.

Chairman Hines reported he was thinking of recommending to the Council at the next meeting, that we put that on our agenda for discussions on where we want to go with an RFP. He would like to talk about the changes to the boundary being recommended. The Town Planner reported the Planning & Zoning Commission felt pretty strongly that if the Council were to decide to sell the property, that it would make sense perhaps to take the tail end of the Towpath property, the triangle that sticks out to the north, and maybe annex that at a minimum to Sperry Park to square off the Sperry Park parcel and to provide some additional parking for the park. Mr. Shea reported in the boundary discussion, that parking would be almost below grade of the road though. The Town Planner reported yes, the grade does certainly drop off towards the road. Some of the parking gravel area to the north side of the school is part of this triangle that the Commission is envisioning, the very tip of it is a grade that would make it more difficult. Mr. Shea questioned whether that would encompass where the old basketball court was. The Town Planner reported we did not talk about any specifics, the Engineering Department would know. It was more of a generic comment that there should be some portion of that severed and added to Sperry Park to make it more uniform, it could be a lot line adjustment.

The Town Planner reported if the Town were to sell the property we could make it known that there could be some shared use of that parking, there could be some kind of a complimentary relationship of

course between the park when it has its peak period, and whoever might go into that property. Mr. Shea questioned if it would be fair for the Council and the Town Planner, to also request that if it was to be a park, how would you handle that triangle in relationship to Sperry Park as a parking issue, if that is the case whether it is a park or is sold. Chairman Hines reported the Council should visit the area, after we see the map. The Town Council should think about what we want to do with the parcel.

Mr. Woodford reported there is one other thing that bothers him, the zoning issue end and the growth issue, and why Planning & Zoning does not just stop all growth in this Town. He can not help but think that you just had a forum that was at the Senior Center or somewhere, and explain to these citizens how things work, that you cannot arbitrarily say we are going to stop growth in this Town, we cannot arbitrarily say that a property owner cannot develop his property. These people have no concept of what they are talking about. The Town Planner reported that is absolutely right, but the problem is when we do say it, there is a different group of people every time. It is a continual dialogue with the public. Our options are not unlimited, there is a certain amount we can do to prevent growth and there is a lot we could not do to prevent growth. Mr. Woodford reported he would suspect if you advertised a forum at some public place that you might have quite a few people show up. Mr. Shea reported he thought that the dialogue he was hearing said the Comprehensive Plan would change the slope and open space issues, without a regulation change. The Town Planner reported that is correct, what happened was in the dialogue we have been having with the Planning & Zoning Commission and Staff on the Plan, when we started to talk about that issue the Planning & Zoning Commission immediately indicated that this makes sense, that is not necessarily, we have to wait until we finish the whole document before we then change the regulations. So they asked him to draft two changes to the regulations, one with open space requirements and one on the slope and uniformity requirement. He drafted this, we noticed to CRCOG, and then we started to get significant opposition, and the Planning & Zoning Commission did not indicate that they were backing away from the proposal, what they indicated was that they would be willing to go at a little slower pace.

Mr. Carlson reported with this idea of a public forum he would suggest we have a letter drafted from us to the Planning & Zoning Commission that they have this forum in the next 120 days, or whatever, that they advertise the same as we would advertise a town meeting, put sandwich boards around Town, 'public hearing tonight on Planning & Zoning Commission...' whatever it should say. People do not have any better understanding today about this information than they did a year ago. Mrs. Hornaday reported the people that speak at those meetings are people who should know better, and the fact is when a person announces that they have all of these credentials and they know, and they make statements, in some ways they mislead other residents into believing wrong things. Mr. Carlson reported in this forum they should have somebody from the Town Attorney's office speak about the law and what a Town can and cannot do. You start there with what the Legislative requirements are, what we have done as a Town, and what we cannot do. Chairman Hines reported the growth questions came up the other night again, they need to be discussed, give the true facts and answer questions. Mr. Shea reported we also have to be prepared to buy land. We need to let the public know that they may be facing a two, three or four million dollar expense. Mr. Shea reported while the Town Planner may be facing future meetings where people may not be happy, he would like him to know that the masses, the great majority of this community think that we have the best Town Planner in the State of Connecticut.

#### **b. Town/Chamber Survey**

The Town Planner reported he and the Town Manager have been working with Chamber of Commerce Representatives, in developing an Avon Business Survey, on needs and interests of the business community on economic development. We have gone through four drafts, with a few minor changes to the one distributed, per the original agreement, the questions are written half each by the Town and the Chamber. We worked with UCONN, to develop the survey, so that questions were worded in such a way that the results would be statistically valid, and the data would be solid data. We will conduct a poll

by telephone, by trained individuals at UCONN, which will start in the next couple of weeks. If the Town Council after review of the draft, feels anything should be changed, or any questions, let him know.

**c. Planning Department Staffing**

The Town Planner reported he prepared a brief memo on Staffing for the Town Manager. Jean Frey after 25 years of service to the Town is going to retire July 1<sup>st</sup>. We have a small department staffing wise and Mrs. Frey is an invaluable member of the staff, extremely knowledgeable, and in the last 25 years has really developed the skills that are both secretarial, office manager skills, she has other skills that would be in the area of paraprofessional, paralegal, as well as planning aide or planning assistant. She is extremely helpful to the public. The reality is to replace somebody like that is slim to none, because most town planning departments small or large are organized differently and they really do not have positions like that.

The Town Planner reported the Planning Department is also going to be assuming 100% of all of the zoning enforcement responsibilities, effective July 1. We have been assuming those responsibilities incrementally, we have been making this change over the last ten years or so. There is a portion that is still with the Building Department, they want to transfer those responsibilities to the Planning Department, we think that makes sense because we are really living in a more specialized world. What he is hoping to do is then to restructure those positions, the 1/2 time part time no benefits position which is going from the Building Department to the Planning Department, the one existing full time position with benefits that is filled by Jean Frey, then we still end up with 1 full time and one 1/2 time position without benefits. He spoke with the Town Manager and Human Resources Director briefly, we would try and advertise for these new positions in a way where the salary ranges would be the same so that there would be no increase to what we have at the present time. What he would like to do is hire one full time person, who would take half of Mrs. Frey's position which are these paraprofessional responsibilities, and then combine that with the Zoning enforcement piece into one full time position, which he feels is a an individual that we could find out in the market place. Then take that 1/2 time no benefits position and leave it as such, but fill that with a half time Administrative Secretary I, an entry level secretarial position.

Mr. Woodford questioned whether the Town Manager agrees. The Town Manager reported he does not have any problems with it, as long as it is dollar neutral. Chairman Hines reported Mr. Meyers spoke to him about the Town Planner's survey of fees, and we are under the surrounding towns, he felt we could increase the fees, to cover this increased cost, which would be the way to do it if we are under the cost for new personnel, and he new fees should cover at least a good portion of it. The Town Manager reported we need to realize though that the original model here was to help transition from Mrs. Frey and then go back to the preceding model. But what we are doing is to go to a different model, not the preceding model, and there will not be a cost savings that would have occurred if we had gone back, which was primarily focussed on the benefits structure. The Town Planner reported the Planning & Zoning Commission passed a formal resolution at the last meeting, and was very comfortable doing that, in light of the fact that we are below average with the fees that we presently have. It was the consensus of the Town Council for the Town Planner to proceed with the Planning Department Staffing, as outlined.

**04/05-81 Review and Discussion: Property Tax Waivers Less than \$10,000**

On a motion made by Mr. Woodford, seconded by Mr. Shea, it was voted:

**RESOLVED:** That the Town Council approve and authorize an Ordinance to be developed in order to waive property tax bills of a minimum amount, i. e. specifically properties with assessments of \$400 or less, which would result in a tax bill of \$10 or less, as recommended by the Town Assessor and reviewed by the Town Attorney.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**04/05-82 Set Public Hearing: 7:30 p.m., April 25, 2005; Acceptance of Temporary Emergency Connection Road Easement – Bridgewater Estates, Phase IV and VI.**

On a motion made by Mr. Woodford, seconded by Mr. Shea, it was voted:

**RESOLVED:** That the Town Council schedule a public hearing for acceptance of a temporary emergency connection road easement in Bridgewater Estates, Phases IV and VI, on April 25, 2005 at 7:30 p.m.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**04/05-83 Authorization to Apply for FY2004/2005 LoCIP Grant**

On a motion made by Mr. Carlson, seconded by Mr. Woodford, it was voted:

**RESOLVED:** That the Town Council authorize the Town Manager to apply and sign, on behalf of the Town of Avon, the LoCIP Authorization/Expenditure Form, for grant funds in amount \$99,187 as reimbursement for FY2004/2005 capital expenditures, road overlay projects.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**04-05-84 Review and Approval: Comprehensive Nutrient Management Plan; Simmons Farm (Fisher Farms, Tillotson Road)**

The Town Manager reported we have a proposal that is very similar to what we saw last year, Mr. Simmons is applying for in essence, a grant involving the farm from the Natural Resource Conservation Service, through their district office. He needs our approval as the owner of the property to sign the application, that we concur. He applied last year and there was not enough funding. Mr. Simmons reported if this is successful, he will be doing environmental conservation planning, for farm management to equally farm the land by control of grazing, fencing, storage of all feed and manure, control of chemicals and runoffs into the aquifer, and establish a record keeping system. It is going to go into law and we want to take advantage of the federal government paying for it before they run out of money.

On a motion made by Mr. Woodford, seconded by Mrs. Hornaday, it was voted:

**RESOLVED:** That the Town Council approve and authorize the Town Manager to sign the Comprehensive Nutrient Management Plan on behalf of the Town of Avon as owners of the leased Fisher Farm property on Tillotson Road, to enable Mr. Simmons to apply for funding through the Department of Environmental Protection, for a Grant/Loan for implementation of the Comprehensive Nutrient Management Plan.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**04-05-85 Authorization to Sign for Historic Document Preservation Grant**

On a motion made by Mr. Carlson, seconded by Mrs. Hornaday, it was voted:

**RESOLVED:** That Philip K. Schenck, Jr., Town Manager, or the Town Clerk as his designee is empowered to execute and deliver in the name of and on behalf of the Town of Avon, an application and contract with the State Library for a Historic Preservation Grant.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**04-05-86 Approve Resolution; 25 Years of Service – Neill Derick**

On a motion made by Mr. Carlson, seconded by Mrs. Hornaday, it was voted:

**WHEREAS:** The Avon Town Council on this the 7<sup>th</sup> day of April, 2005 adopt this **RESOLUTION** in recognition of **TWENTY-FIVE YEARS** of the dedicated and faithful service of **NEILL DERICK** as a member of the Public Works and Parks Division.

April 7, 2005

**WHEREAS:** NEILL joined the Town, April 24, 1980, and his record of service has contributed in no small measure to the able operation of the Public Works Department, and over the years he has achieved Maintainer III, and has become the town's 'resident master carpenter', along with his other duties. His outstanding carpentry skills is obvious throughout the Town facilities.

**WHEREAS:** NEILL performs a variety of skilled tasks in all phases of renovation and repair. As part of the buildings and grounds maintenance crew he is especially appreciated for his work on the Fisher Meadows fields to achieve their professional appearance which is a benchmark for other towns to achieve. NEILL in his quiet way goes about his duties without fanfare.

**WHEREAS:** NEILL has also served the Town of Avon as a volunteer fireman. He is a resident of Farmington but serves as a volunteer in Avon during his working hours which requires commitment on his part to continue with the necessary training that is required of our volunteer firemen.

**NOW THEREFORE, BE IT FURTHER RESOLVED:** That the Town Council of the Town of Avon, on behalf of its citizens expresses its grateful appreciation for his TWENTY-FIVE YEARS of dedicated service, and that this RESOLUTION be spread upon the minutes of the April 7, 2005 Town Council Meeting, and that a copy of this RESOLUTION be presented to NEILL DERICK.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**04-05-87 Approve Resolution; 25 Years of Service - Brian Naylor**

On a motion made by Mr. Carlson, seconded by Mrs. Hornaday, it was voted:

**WHEREAS:** The Avon Town Council on this the 7<sup>th</sup> day of April, 2005 adopt this RESOLUTION in recognition of TWENTY-FIVE YEARS of the faithful service of Brian Naylor as a member of the Public Works Department.

**WHEREAS:** BRIAN began his career with the Town on February 19, 1980 with the Building and Grounds Maintenance Department, where he is known as the Abest groomed@ Maintainer III, but better known for his knowledge in both the electrical and plumbing fields. The Town relies upon Brian for his expertise in wiring for the installation of computers as well as addressing electrical and plumbing problems as they arise. Maintenance of the parks and athletic fields in Avon are also part of his job description. Brian=s friendly easy going nature makes him a pleasure to work with.

**WHEREAS:** BRIAN currently serves the Town of Avon as a volunteer fireman. He is a resident of Burlington but serves as a volunteer in Avon during his working hours. This involves commitment to continue with the necessary training that is required of our volunteer firemen. It is also an example of his dedication to helping others.

**NOW THEREFORE, BE IT FURTHER RESOLVED:** That the Town Council of the Town of Avon, on behalf of its citizens, expresses its grateful appreciation for his TWENTY-FIVE YEARS of dedicated service and that this RESOLUTION be spread upon the minutes of the April 7, 2005 Town Council Meeting, and that a copy of this RESOLUTION be presented to BRIAN NAYLOR.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**04-05-88 Approve Poll Hours – 6:00 a.m. to 8:00 p.m. May 11, 2005, Budget Referendum**

On a motion made by Mrs. Hornaday, seconded by Mr. Carlson, it was voted:

**RESOLVED:** That the Town Council authorize the extension of the hours of the May 11, 2005 Budget Referendum from 6:00 a.m. to 8:00 p.m.

Mrs. Hornaday, Messrs: Hines, Carlson, Shea and Woodford voted in favor.

**04-05-89 Renewal of Dial-A-Ride Contracts**

On a motion made by Mrs. Hornaday, seconded by Mr. Carlson, it was voted:

**RESOLVED:** That the Town Council authorize on behalf of the Town of Avon a one year extension of the contract with Town and Managed Transportation Service, Inc., for provision of dial-a-ride services for Avon residents for FY2005/2006, in amount \$50,146, as recommended by the Director of Social Services.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

On a motion made by Mrs. Hornaday, seconded by Mr. Carlson, it was voted:

**RESOLVED:** That the Town Council authorize on behalf of the Town of Avon a one year extension the contract with McLean's Elderly Daycare Facility, for provision of Dial-a-Ride services for Avon residents participating in the elderly daycare and related activities for FY2005/2006 in amount \$9,270, as recommended by the Director of Social Services.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**04-05-90 Acceptance of Gift: \$5,000, Booster Club, Buckingham Lacrosse Field Improvements**

On a motion made by Mr. Woodford, seconded by Mr. Carlson, it was voted:

**RESOLVED:** That the Town Council accept, on behalf of the Town of Avon, a gift of \$5,000 from the Avon High School Booster Club to be used for the Buckingham Road Athletic Fields Project.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**VIII. EXECUTIVE SESSION: Litigation/Negotiation**

On a motion made by Mr. Woodford, seconded by Mr. Shea, it was voted:

**RESOLVED:** That the Town Council go into Executive Session at 9:25 p.m.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

On a motion made by Mr. Woodford, seconded by Mr. Shea, it was voted:

**RESOLVED:** That the Town Council come out of Executive Session at 10:00 p.m.

Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

**IX TOWN MANAGER'S REPORT/MISCELLANEOUS**

The Town Manager reported we are preparing an RFP for the maintenance of our sewer systems. The Town Engineer would like to move ahead. We have had interest expressed by Avon Water Company and the Town of Simsbury. We have not interviewed anyone, there is still a maintenance issue.

The Town Manager reported the year end snow report is over budget. We expect \$48,000/\$49,000 from FEMA which will make up part of the shortfall. We may have to come back o request additional funds.

The Town Manager reported we will need a public hearing for April 25<sup>th</sup> to make adjustment to Ordinance 29 that was adopted.

**X ADJOURNMENT**

The meeting was adjourned at 10:45 p.m.

**Attest:**

**Caroline B. LaMonica  
Town Clerk**