

SPECIAL TOWN COUNCIL MEETING  
WEDNESDAY, MAY 16, 2005  
AVON SENIOR CENTER COMMUNITY ROOM

I. CALL TO ORDER

On a motion made by Mr. Shea, seconded by Mr. Carlson it was voted to elect Mrs. Hornaday as Acting Chairman. Mrs. Hornaday called the meeting to order at 8:32 P.M. Messrs: Carlson, Shea and Woodford were present.

II PUBLIC HEARING

04/0597 8:30 P.M. Acceptance of Cistern Easement Property and  
Right of Way; Deercliff Road (Beaudin=s Baden=s Baden=s =s Subdivision)

The Town Clerk read the call of the Public Hearing

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 Wednesday, May 11, 2005 at 8:30 p.m. at the Avon Senior Center, Community Room, 635 West Avon Road, to consider the following:

To consider and permit all persons to speak on the plan of the Town Council to accept an 896+ ft. Right-of-Way along the easterly side of Deercliff Road and to accept a 40 x 60 foot Easement Area for an underground Cistern on Deercliff Road to provide for adequate fire protection in the future.

A copy of the map is on file in the Avon Town Clerk=s office and open to inspection during normal office hours.

Dated at Avon, Connecticut this 2<sup>nd</sup> day of May, 2005.

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 897+ right of way along the easterly side of Deercliff Road and a 40 x 60 foot easement area for an underground Cistern on Deercliff Road.

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

III.. COMMUNICATION FROM AUDIENCE -None

IV COMMUNICATION FROM TOWN COUNCIL - None

5. OLD BUSINESS

83/84-163      Redesign of Thompson Old Farms Road:  
Set Public Hearing Informational Meeting Date

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

RESOLVED: That the Town Manager be authorized to set a Public Hearing date after the necessary and federal and state reviews have been completed.

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

03/04/64      Avon High School Renovations/Additions  
Sign Call for Town Meeting Date. Adopt  
Resolution and Set Poll Hours 6:00 a.m. to 8:00 p.m.

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

RESOLVED: that the Town Council recommends that the Town of Avon appropriate \$25,998,000 for renovations, additions and improvements to the Avon High School to provide an approximately 1,300 student capacity. The project is contemplated to include construction of approximately 67,500 square feet of additions including classrooms, science rooms, a new media center, a computer laboratory, an expanded kitchen, a new cafeteria, expanded locker rooms, an approximately 1,000 spectator gymnasium and supporting core facilities; renovations and improvements to the existing facility including a new orchestral music room and support spaces, improvements to the existing kitchen, toilet rooms and stairways, expansion of the student support services and health room facilities, improvement and refurbishment of the gymnasium floor and walls, replacement and refurbishment of the stage curtain, rigging and lighting, replacement and refurbishment of lockers, upgrades to the video/data/audio infrastructure, acquisition of new food service equipment; installation of a folding partition at the proscenium, replacement of all or portions of the roof, and replacement of various HVAC rooftop units; improvements to site circulation and parking including addition of ingress/egress off West Avon Road and expansion of the parking area; improvements to the athletic facilities including construction of a women=s softball field; and construction and installation of related improvements and appurtenances; the scope and particulars of the project to be determined by the Avon High School Renovations/Additions Building Committee. A portion of the appropriation in an amount not to exceed \$60,000 shall be applied to reimburse the Town for expenditures pursuant to appropriations for fiscal year 2004/05 for expenses incurred by the Avon High School Renovations/Additions Building Committee on behalf of the Town for architectural services, consultant fees and administrative costs during the preliminary planning stage of the project. The Town anticipates receiving grants in the approximate amount of \$6,407,600 from the State of Connecticut Department of Education to defray in part the appropriation for the project.

FURTHER RESOLVED, that the Town Council recommends that the Town of Avon issue bonds or notes and temporary notes in an amount not to exceed \$25,998,000 to finance the appropriation, the amount of bonds or notes authorized to be issued to be reduced by the amount of grants received by the Town for the project.

FURTHER RESOLVED, that the foregoing proposal be considered by a Special Town Meeting to be held on Thursday, May 19, 2005 at the Avon High School auditorium, 510 West Avon Road in Avon at 7:30 p.m., and that a referendum vote on the foregoing proposal be held at a reconvened town meeting on Monday, June 20, 2005 between the hours of 6:00 a.m. and 8:00 p.m. Mrs. Hornaday and Messrs: Carlson, Shea and Woodford voted in favor.

On a motion made by Mr. Wodford, seconded by Mr. Carlson, it was voted to set the Town Meeting date of May 19, 2005 and a Referendum date of June 20<sup>th</sup> and to sign the call of the Town Meeting.

TOWN OF AVON  
NOTICE OF SPECIAL TOWN MEETING -- MAY 19, 2005  
NOTICE OF REFERENDUM -- JUNE 20, 2005

A special town meeting of the electors and citizens qualified to vote in town meetings of the Town of Avon, Connecticut, will be held at the Avon High School auditorium, 510 West Avon Road in the Town of Avon, Connecticut, on Thursday, May 19, 2005 at 7:30 p.m. for the following purposes:

1. To consider a resolution,
  - (a) to appropriate \$25,998,000 for design and construction of renovations, additions and improvements to the Avon High School to provide an approximately 1,300 student capacity. The project is contemplated to include construction of approximately 67,500 square feet of additions including classrooms, science rooms, a new media center, a computer laboratory, an expanded kitchen, a new cafeteria, expanded locker rooms, an approximately 1,000 spectator gymnasium and supporting core facilities; renovations and improvements to the existing facility including a new orchestral music room and support spaces, improvements to the existing kitchen, toilet rooms and stairways, expansion of the student support services and health room facilities, improvement and refurbishment of the gymnasium floor and walls, replacement and refurbishment of the stage curtain, rigging and lighting, replacement and refurbishment of lockers, upgrades to the video/data/audio infrastructure, acquisition of new food service equipment; installation of a folding partition at the proscenium, replacement of all or portions of the roof, and replacement of various HVAC rooftop units; improvements to site circulation and parking including addition of ingress/egress off West Avon Road and expansion of the parking area; improvements to the athletic facilities including construction of a women=s softball field; and construction and installation of related improvements and appurtenances. The appropriation may be spent for design and construction costs, equipment, furnishings, fixtures, materials, architects', engineers' and other consultants' fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. A portion of the appropriation in an amount not to exceed \$60,000 shall be applied to reimburse the Town for expenditures pursuant to appropriations for fiscal year 2004/05 for expenses incurred by the Avon High School Renovations/Additions Building Committee on behalf of the Town for architectural services, consultant fees and administrative costs during the preliminary planning stage of the project. The Town anticipates receiving grants in the approximate amount of \$6,407,600

from the State of Connecticut Department of Education to defray in part the appropriation for the project;

(b) to authorize the issue of bonds or notes and temporary notes of the Town in an amount not to exceed \$25,998,000; and to provide that the amount of bonds or notes authorized shall be reduced by the amount of grants received by the Town for the project; to authorize the Town Manager and the Treasurer to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds or notes and temporary notes, and to perform all other acts which are necessary or appropriate to issue the bond or notes and temporary notes;

(c) to take such action to allow temporary advances of available funds which the Town reasonably expects will be reimbursed from the proceeds of borrowings; and to authorize the Town Manager and the Treasurer to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes and temporary notes authorized by the resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years;

(d) to authorize the Town Manager and the Treasurer to make representations and enter into written agreements for the benefit of holders of the bonds or notes and temporary notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes and temporary notes;

(e) to authorize the Board of Finance to approve transfers from the Town's unappropriated General Fund Resources for the purpose of temporary cash flow needs prior to the sale of the bonds or notes and temporary notes, provided the transfers do not exceed eighty percent (80%) of such unappropriated balance and provided that all such transfers are repaid before the end of the fiscal year;

(f) to authorize the Avon High School Renovations/Additions Building Committee to act as a school building committee for the project, and further : (i) to determine the particulars of the project, and, with the approval of the Town Council, to reduce or modify the scope of the project and expend the entire appropriation on the project as so reduced or modified; (ii) with the approval of the Town Council, to approve design and construction expenditures for the project; (iii) with the approval of the Town Council, to contract with architects, engineers, contractors and others in the name and on behalf of the Town to complete the project; and (iv) to exercise such other powers as are necessary or appropriate to complete the project;

(g) to authorize the Board of Education to apply for and accept state grants for the project; and

(h) to authorize the Town Manager, the Treasurer, the Board of Education, the Avon High School Renovations/Additions Building Committee, and other proper officers of the Town to take any other action and execute any documents which are necessary or desirable to enable the Town to

complete said project and to issue bonds or notes and temporary notes and obtain grants to finance the aforesaid appropriation.

2. Pursuant to Section 10.3.2. of the Town Charter, a referendum will be held on the aforesaid resolution on Monday, June 20, 2005 between the hours of 6:00 a.m. and 8:00 p.m. Electors and persons qualified to vote at town meetings who are not electors will vote at the Avon Senior Center, 635 West Avon Road, Avon, Connecticut. Absentee ballots will be available at the Town Clerk=s office in the Town Hall beginning on the nineteenth day before the day of the referendum. The aforesaid resolution will be placed on the voting machines or paper ballots under the following heading:

"SHALL THE TOWN OF AVON APPROPRIATE \$25,998,000 FOR DESIGN AND CONSTRUCTION OF RENOVATIONS, ADDITIONS AND IMPROVEMENTS TO THE AVON HIGH SCHOOL TO PROVIDE AN APPROXIMATELY 1,300 STUDENT CAPACITY AND AUTHORIZE THE ISSUE OF BONDS, NOTES AND TEMPORARY NOTES IN SUCH AMOUNTS AS REQUIRED TO FINANCE THE PORTION OF THE APPROPRIATION NOT FUNDED FROM GRANTS?

Voters approving the resolution will vote AYes@ and those opposing the resolution will vote ANo.@"

Dated at Avon, Connecticut, this 11<sup>th</sup> day of May, 2005.

Richard W. Hines  
Chairman, Avon Town Council

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

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

**RESOLUTION APPROPRIATING \$25,998,000 FOR RENOVATIONS, ADDITIONS AND IMPROVEMENTS TO AVON HIGH SCHOOL TO PROVIDE AN APPROXIMATELY 1,300 STUDENT CAPACITY AND AUTHORIZING THE ISSUE OF BONDS, NOTES AND TEMPORARY NOTES IN SUCH AMOUNTS AS REQUIRED TO FINANCE THE PORTION OF THE APPROPRIATION NOT FUNDED FROM GRANTS**

a) That the Town of Avon appropriate TWENTY-FIVE MILLION NINE HUNDRED NINETY-EIGHT THOUSAND DOLLARS (\$25,998,000) for design and construction of renovations, additions and improvements to the Avon High School to provide an approximately 1,300 student capacity. The project is contemplated to include construction of approximately 67,500 square feet of additions including classrooms, science rooms, a new media center, a computer laboratory, an expanded kitchen, a new cafeteria, expanded locker rooms, an approximately 1,000 spectator gymnasium and supporting core facilities; renovations and improvements to the existing facility including a new orchestral music room and support spaces, improvements to the existing kitchen, toilet rooms and stairways, expansion of the student support services and health room facilities, improvement and refurbishment of the gymnasium floor and walls, replacement and refurbishment of the stage curtain, rigging and lighting, replacement and refurbishment of lockers, upgrades to the

video/data/audio infrastructure, acquisition of new food service equipment; installation of a folding partition at the proscenium, replacement of all or portions of the roof, and replacement of various HVAC rooftop units; improvements to site circulation and parking including addition of ingress/egress off West Avon Road and expansion of the parking area; improvements to the athletic facilities including construction of a women=s softball field; and construction and installation of related improvements and appurtenances. The appropriation may be spent for design and construction costs, equipment, furnishings, fixtures, materials, architects', engineers' and other consultants' fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project and its financing. A portion of the appropriation in an amount not to exceed \$60,000 shall be applied to reimburse the Town for expenditures pursuant to appropriations for fiscal year 2004/05 for expenses incurred by the Avon High School Renovations/Additions Building Committee on behalf of the Town for architectural services, consultant fees and administrative costs during the preliminary planning stage of the project. The Town anticipates receiving grants in the approximate amount of \$6,407,600 from the State of Connecticut Department of Education to defray in part the appropriation for the project.

(b) That the Town issue bonds or notes and temporary notes in an amount not to exceed TWENTY-FIVE MILLION NINE HUNDRED NINETY-EIGHT THOUSAND DOLLARS (\$25,998,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes and temporary notes shall be issued pursuant to Sections 10-289 and 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

(c) That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes and temporary notes for the project or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed TWENTY-FIVE MILLION NINE HUNDRED NINETY-EIGHT THOUSAND DOLLARS (\$25,998,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

(d) That the Town Manager and the Treasurer of the Town shall sign any bonds or notes and temporary notes by their manual or facsimile signatures. The law firm of Day, Berry & Howard LLP is designated as bond counsel to approve the legality of the bonds or notes and temporary notes. The Treasurer shall keep a record of the bonds or notes and temporary notes. The Town Manager and the Treasurer are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes and temporary notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent

for the bonds or notes and temporary notes; to provide for the keeping of a record of the bonds or notes and temporary notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes and temporary notes; to sell the bonds or notes and temporary notes at public or private sale; to deliver the bonds or notes and temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes and temporary notes.

(e) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Treasurer are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes and temporary notes authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(f) That the Town Manager and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes and temporary notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes and temporary notes.

(g) That the Board of Finance may approve transfers from the Town=s unappropriated General Fund Resources for the purpose of temporary cash flow needs prior to the sale of the bonds or notes and temporary notes, provided the transfers do not exceed eighty percent (80%) of such unappropriated balance and provided that all such transfers are repaid before the end of the fiscal year.

(h) That the Avon High School Renovations/Additions Building Committee is authorized to act as a school building committee for the project, and is further authorized: (i) to determine the particulars of the project, and, with the approval of the Town Council, to reduce or modify the scope of the project and expend the entire appropriation on the project as so reduced or modified; (ii) with the approval of the Town Council, to approve design and construction expenditures for the project; (iii) with the approval of the Town Council, to contract with architects, engineers, contractors and others in the name and on behalf of the Town to complete the project; and (iv) to exercise such other powers as are necessary or appropriate to complete the project. Committee members shall not receive any compensation for their services. Necessary expenses of the Committee shall be included in the cost of the project. The records of the Committee shall be filed with the Town Clerk and open to public inspection during normal business hours. Upon completion of the project, the Committee shall make a complete report and accounting to the Town Council.

(i) That the Board of Education is authorized to apply for and accept state grants for the project. The Board of Education is authorized to file applications with the State Board of Education,

to execute grant agreements for the project, and to file such documents as may be required by the State Board of Education to obtain grants for the costs of financing the project.

(j) That the Town Manager, the Treasurer, the Board of Education, the Avon High School Renovations/Additions Building Committee, and other proper officers of the Town are authorized to take any other action and execute any documents which are necessary or desirable to enable the Town to complete said project and to issue bonds or notes and obtain grants to defray the aforesaid appropriation.

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

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

RESOLVED: That the Town Council establish the voting hours for the June 20, 2005 Avon High School Additions/Renovations Referendum from 6:00 a.m. to 8:00 p.m.

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

04/05-66 Approve Resolutions for State Grant Submission Pine Grove School Roof

The Town Manager reported the School Department has been preparing the appropriate grant application to the State for reimbursement on the Pine Grove School Roof. The Town Council should adopt a resolution to permit them to make application.

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

WHEREAS: The Avon Board of Education has recommended the re-roofing of the Pine Grove Elementary School, and

WHEREAS: The Avon Board of Education has completed a comprehensive assessment of the need for the roof replacement project,

BE IT RESOLVED; That the Avon Town Council authorizes establishing a building committee of one for the proposed re-roofing project, authorizes the preparation of construction documents and specifications for the proposed re-roofing project, and authorizes the Superintendent of School to file applications for the re-roofing project.

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

04/05-84 Set Public Hearing, Lease Extension:  
Contract approval: Comprehensive Nutrient  
Management Plan: Simmons Family Farm  
(Former Fisher Old Farms, Tillotson Road)



7:p.m. June 6, 2005

The Town Manager reported the Simmons Family has been successful in securing a \$300,000 grant loan for Nutrient Management Activities on the farm property, which includes both Farmington and Avon. This grant loan requires the Town to provide a letter of support and also extend the current lease arrangements until the year 2013. To extend this lease we will have to schedule a public hearing.

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

RESOLVED: That the Town Council schedule a Public Hearing for June 6, 2005 to extend the Simmons lease to the year 2013.

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

#### VI NEW BUSINESS

##### Sign Rate Bill for FY 05/06 Taxes

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

RESOLVED: That the Town Council sign the FY 05/06 Rate Bill.

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

##### 04/05/99bID Waiver/ Bid Award AVFD SCBA

The Town Manager reported that the Fire Department has compared four different companies who manufacture SCBA and have determined after much comparison that the Scott Air Pak 50 manufactured by Scott Health and Safety is their choose. This will require a waiver of the bidding policy by the Town Council.

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

RESOLVED: That the Town Council waiver their bidding policy and award the bid for SCBA to Scott Health and Safety and Bauer Compressors thru their vendor Shipman=s Fire Equipment Co. of Waterford, CT.

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

#### VII MISCELLANEOUS - None

#### VIII OTHER BUSINESS - None

Mr. Hines came in.

IX ADJOURN

On a motion made by Mr. Woodford, seconded by Mr. Shea it was voted to adjourn the meeting at 8:40 p.m.

Attest:

Caroline B. LaMonica  
Town Clerk

On

