

**AVON TOWN COUNCIL  
MEETING MINUTES  
SEPTEMBER 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 in attendance, Messrs Hines, Carlson, Shea and Woodford. Absent: Mrs. Hornaday.

**II. PUBLIC HEARING:**

**05/06-12 Ordinance #73: Waiver of Property Taxes in Small Amounts**

The Public Hearing was called to order at 7:30 p.m., the Legal Notice reads as follows:

“LEGAL NOTICE  
TOWN OF AVON

Notice is hereby given that the Avon Town Council at its meeting on September 7, 2005, adopted ORDINANCE #73 – WAIVER OF PROPERTY TAXES IN SMALL AMOUNTS as follows:

SECTION I  
PURPOSE

The purpose of this Ordinance is to permit the Town of Avon to waive a taxpayer’s annual property taxes when the amount due is very small and thereby to relieve the Town from the cost of processing related property tax bills.

SECTION II  
ESTABLISHMENT OF PROPERTY TAX WAIVER

In accordance with the authority provided to municipalities under Section 12-144c of the Connecticut General Statutes, the Town of Avon hereby waives the annual property tax on the real and personal property of a taxpayer if the aggregate assessment of the real and personal property of the taxpayer is four hundred dollars (\$400) or less.

SECTION III  
APPLICABILITY AND EFFECTIVE DATE

This ordinance shall be applicable to assessment years commencing October 1, 2005, and shall be effective on October 1, 2005.

Copies of Ordinance 73 are on file in the Town Clerk’s office, Avon Town Hall, and are open to public inspection during normal business hours.

Dated at Avon, Connecticut this 8th of September, 2005.

Philip K. Schenck, Jr.  
Town Manager”

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

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

**RESOLVED:** That the Town Council adopt ORDINANCE #73, WAIVER OF PROPERTY TAXES IN SMALL AMOUNTS, as follows:

SECTION I  
PURPOSE

The purpose of this Ordinance is to permit the Town of Avon to waive a taxpayer’s annual property taxes when the amount due is very small and thereby to relieve the Town from the cost of processing related property tax bills.

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property of a taxpayer if the aggregate assessment of the real and personal property of the taxpayer is four hundred dollars (\$400) or less.

SECTION III  
APPLICABILITY AND EFFECTIVE DATE

This ordinance shall be applicable to assessment years commencing October 1, 2005, and shall be effective on October 1, 2006.

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

**III. MINUTES OF PRECEDING MEETING: August 4, 2005**

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

**RESOLVED:** That the Town Council approve the minutes of the August 4, 2005 meeting as read.

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

**IV. COMMUNICATION FROM AUDIENCE - None**

**V. COMMUNICATION FROM COUNCIL**

Chairman Hines reported there will be a dedication of the new Living Memorial Garden at the Senior Center on September 19<sup>th</sup>. There will be a ribbon cutting ceremony at 12:00 and a luncheon to follow.

Chairman Hines reported that Jean Parker has requested that it may be appropriate to open the Towpath School for an afternoon, to permit former students who may want to tour the building prior to it being demolished. Mr. Shea reminded everyone that a capsule was buried in one of the corners of the school and before any demolition, attempts should be made to locate it. It was suggested that Mr. Donato may know where it is located. Also, we will need people to help promote and conduct the open house.

Chairman Hines reported again this year CCM will hold their Conference at the new Convention Center. He is recommending that the Council support six students to attend. This is something that we have done in the past. It will cost \$240 for the six students.

Chairman Hines reported Interval House is having an event in Avon on October 6<sup>th</sup>. They are dealing with Domestic Violence in the workplace.

**VI. OLD BUSINESS**

**05/06-11 Review and Discussion: Request of SBC for Easement (Prev. Distributed)**

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

**RESOLVED:** That the Town Council remove this item from the Agenda.

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

**VII. NEW BUSINESS**

**05/06-16 Avon Water Pollution Control Authority: Bud Usich**

Mr. Usich, Water Pollution Control Authority, reported the State of Connecticut has approved the Town for a 55% grant to help with a master sewer facilities plan. The total cost is estimated to be \$334,000 and we expect to receive \$183,700 in the next few years. We will have to up front the cost and the reimbursement will be coming in the next two or three years. He reminded the Town Council that earlier the State had denied our request and we reapplied and were approved this time. He reported the Town Engineer will speak to the project.

The Town Engineer reported we are trying to computerize and gather all of our information for GIS. The State was reluctant to fund it because there really is no funding but they could see the merits of it, it

is money well spent, it is planning money. We strongly need it, there is no question, and the Town Manager can attest to how we are proposing to fund it. It is all going to be coming out of the Sewer Fund, it will not be under the general tax base, but it does show up in the general budget as a line item, but it also has revenues coming in.

Chairman Hines reported the earlier plan that was not supported by the State, he felt was as much a problem with Fuss & O'Neill as it was with our plan being maybe too extensive. He questioned whether they are happy with both Fuss & O'Neill now and our plan. The Town Engineer reported the problem was funding being more available, they did fund these things under Fuss & O'Neill in the past, we were able to get these types of things funded. He reported Mr. Usich was at a meeting with them, and everybody looked at the scope, and the proposal was fine, there was five of us in the room. He informed the Town Manager that everything looked good, the bill is going to be funded, and we continued on. But when we got the letter, they were not going to fund it, and they took out all of the GIS, all the inventory, the type of stuff we need to administer a system because we do not have the personnel, we need that data on tap. It is not like we have somebody running a plant that has been there for 30 years, and knows where every manhole is, and they will take care of it. We do not have those people. The Town Engineer reported he is retired and the Deputy is thinking of retiring, and the other person is retired from Simsbury, he is very knowledgeable, but does not want calls at 2 o'clock in the morning, as he did when he worked in Simsbury, but will stay up to the next budget year, then work for a couple hours a week until we fill that position with a full time manager, and have all of that data available to him. It is going to address a lot, to prepare a master sewer plan showing sewer routings, not just the line but they will have to be looked at with the profile, and we have done a lot of this now, a lot of the data is in the Town, in our heads, in sheets rolled up. Like with the pump station in back of the convalescent home, we had to know the depths and how everything that was going to come into that, so we had to do a tremendous amount of field work at that point in time, and that is done but it is not formalized in a report. We have a fairly complicated system, because we are involved with three Towns.

Chairman Hines questioned whether Simsbury and Farmington have anything like this plan. The Town Engineer reported yes Simsbury just had to do a very comprehensive plan for the new plant, in order to have funding that is what a planning document is really, and we were part of that plan, fortunately we had already extended our sewers, or they probably would have told us to do things a little differently. What they are trying to do today is in some cases, Granby had big problems when they extended the sewer to Granby from Simsbury. They ran an interceptor along Route 10, to serve the business properties into the future, they assessed the people putting sewers in and now they are looking at a facilities plan, and they say that is good soil and you are not going to need sewers there, you cannot sewer it. It is like saying you cannot sewer Route 44, in 20 years you are going to be putting sewers in with that type of use. So then they are going to have to come back, as once you put stuff in the ground you better have it sized to what the ultimate flow is, because you do not want to change a line, when you put in a line today at \$100 a foot, then you put a road over it, pave it and with the other utilities you are looking at 100's of dollars a foot to change it or remove it. For Simsbury, we had to update our plan a little, which is kind of what brought this to a head, we did not have a good document so they suggested even back then that they would fund it. The question is now there is no money available right now, but they did commit, it might be next year or two.

Chairman Hines questioned what would happen if we do not get reimbursement from the State, would we be alright. The Town Engineer reported we would be alright, we still need the document. Again that is a long drawn out process, and we are fortunate that we have good personnel that are very capable. Chairman Hines reported with all of his years on the Town Council, he never heard of a major sewer problem in Avon. When we put that pump station across from the Old Farms Hotel, Councilman Macy was always worried about that, that would be our future problem, and it has not been. The Town

Engineer reported it has been a good station, but any pump station is a mechanical device, we just had to pull a pump and were down to one pump for over a week, we spent almost \$14,000 redoing the pump, but that pump was the original one that was put in there, so it certainly has served us well. We have it in the budget now to take the next one out and rebuild it before it fails.

Mr. Woodford reported once this is complete, this is all of the information in the GIS, everything is done. The Town Engineer reported yes, then we keep putting in new stuff as we get it. This is a planning document, it may change as the Town changes, based on existing zoning as we update the Town. Mr. Usich reported we update it all the time, when it comes to assessments. We have not been too aggressive ourselves with putting sewers in, we have a lot of sewers and we did under the grants when we really needed them, but we get more and more requests – when can we get sewers, and this type of thing. Sewers are not cheap, but neither are septic repairs today, you could look at a sewer system and it is nothing to throw away \$25,000 to \$30,000 on a system, then they will put a statement in the land records that it does not meet code, because they cannot put them on a lot any more and meet code, so they have to get waivers from the Health Code.

The Town Engineer reported our prices are very competitive, and what we have been doing is to try to build the fund balance up. Our agreement says that we pay by the gallonage, not per unit, but we have to take care of the lines, contract out for flushing, take care of the electric and the maintenance and the planning, we have to pay for this document and so forth. So it is not just the treatment costs, because our sewage lines are fairly new and they are tight, so we are treating basically sewage and very little infiltration and inflow, we do have some but we have an ongoing program. A lot of times towns look at it like it does not cost them much more to treat 2 million or 2.5 million gallons, but for us we put in 200,000 vs. 400,000 gallons, we pay twice as much so that if we can keep our flow down as much as possible and keep a tight system our future costs are very low. The Town Manager reported we basically have a financial balance of about \$1.4 million in the Sewer fund #05, the reason that is so high is because we had planned through incremental increases in our use fee up to \$250 to build a reserve because of the anticipation of the Simsbury Sewage Treatment Plant coming on line, the upgrade of their plant both in terms of capacity and more so in terms of the quality, moving it to tertiary level treatment. The gross cost of that is \$24 million, plus our costs are going to be about \$6 million, so that will end up being added to our debt eventually, once we get the final figure. They are in construction now, they are supposed to be completed next year, the latest the early part of 2007, then they will go in and do a reconciliation of everything, then Simsbury will be getting some state, federal money, and their own money. Then once all this has been reconciled we will get a sheet that shows we owe, say \$6,329,567, you are going to pay it over 17 or 20 years, or whatever it is, then we start making annual payments. We have been doing that since 1996 or 1997 on the Farmington upgrade that they went through in the early to mid 90's, we pay \$66,000 a year to cover our \$900,000 at that time, we have paid it down and it is about \$600,000 now on the Farmington upgrade. What has happened is that the Simsbury Plant is running about two years behind schedule, so what ended up happening is we built up these reserves which we will not have to pay out, so we do have the money available, even if we do not get reimbursed by the State.

Mr. Usich reported to address concerns over Fuss & O'Neill and the State, the plan outline as developed by Fuss & O'Neill is really in its third variant approved by the State, the second was the source of review here in March with the State. He reported we recognize that we have what we have now, and it is very workable. The Town Manager reported we worked hard to get that money and we are going to pursue that, now the funding schedule is dependent essentially on what the federal government provides. It is not much different than what they provide for the DOT for road improvements, such as the bridge which we have been dealing with.

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

**RESOLVED:** That the Philip K. Schenck, Jr., Town Manager, be, and hereby is, authorized to sign the Agreement entitled "Agreement between Town of Avon, Connecticut and Fuss & O'Neill, Inc. for Professional Services for Wastewater Facilities Planning & Evaluation of Administrative Systems".

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

**a. Supplemental Appropriation Contract Approval:  
Master Sewer Facilities Plan Contract, \$334,000**

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

**RESOLVED:** That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed \$334,000 from Sewer Fund, Other Financing Sources, Undesignated Fund Balance Account #05-0390-43913 and transfer from Sewer Fund, Other Financing Uses, Interfund Transfers-Out Account #05-8700-58000 to Capital Projects Fund (Facil. & Equip.), Town CIP – Facilities, Master Sewage Facilities Plan Account # 02-4829-53365 and Capital Projects Fund (Facil. & Equip.), Other Financing Sources, Interfund Operating Transfers-In Account #02-0390-43918 in the amount of \$334,000 for the purpose of funding CWF-592 PG Engineering Agreement on Wastewater Facilities Planning & Evaluation of Administrative Systems as approved by the State of Connecticut Department of Environmental Protection.

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

**b. Supplemental Appropriation: Conversion of Part-time  
Superintendent/Inspector to full-time, \$39,252.**

The Town Manager reported the Town Engineer has highlighted that right now we have no single full time person that is responsible for the system, we have a part-time person, a retired treatment plant superintendent that we hired several years ago after he retired, essentially on a 20 hour a week basis to manage the system. When we have problems with the system as the Town Engineer alluded to, the alarms go off, or people call and what we end up having to do is, we call the Town Engineer or Deputy Town Engineer or the part-time person to come down to fix things. Normally you have a sewage department because you usually have a treatment plant in your town, and we do not have that and we have tried to keep our costs down. And over the years, as it is a new system in terms of age, well maintained in the sense that it is tight without a lot of infiltration. We do monitor it, we do flush it, we have preventive maintenance schedules that we do, so it generally has been okay, and we have gotten along to this point. The part-time person wants to retire completely, no night calls or anything. What we are doing is looking at transitioning here, we want to get authorization - hire somebody full time probably effective January 1<sup>st</sup>, have that person work with our part-time person until July 1, 2006, then the part-time person would drop off of our roster as a regular person, then he would come in on an occasional basis on call, depending upon whether the new person needed to know about the system. Obviously the more the new person works on the system the less we would need the other to help. It would also put us in the eventuality that if our Town Engineer or Assistant Town Engineer ever left, we would have a full time person on board capable of managing the system, and a lot of the management of the system is subcontracts with pump and flushing people, and working with the contractors when new sewers are put in to make sure that they are put in correctly. We will also have a plan in place so that as we move ahead and add sewers, if we have significant problems in areas, we will have somebody on board who knows the system, knows the plan, that is full time, and will be in a good position to manage it. There is a potentiality down the road where we may either want to add this as a duty to the Public Works Department Director who has had extensive experience in Suffield, and is a licensed sewer plant operator. It may be that eventually that may at least move over to that point. A lot of what we are talking about now is administrative, contract, bidding, quality control, going out and checking on the

contractors and things of that nature - and 24 hour on call person. Mr. Woodford questioned going with a third party on this. The Town Manager reported we have tried that. We might decide to do more of that in the future, but we have had dismal results trying to do that. The Town Engineer reported the problem is that we do not have a plant, if we had the plant we would be looking at three or four full time people on call all the time, someone would be running the plant. We do not have that, we wanted to privatize, we went out and asked for qualifications of people that run systems, we had four responses, then we pursued it further and actually developed proposals, we took them out showed them the system, showed them the pump stations, showed them everything, and a couple of them were fairly interested, Avon Water especially, and he thought they would put in a good proposal but they were just so bogged down with the new well and the conditions, and they lost a lot of personnel over the summer, they did not have time to put anything together. They would basically, as they have no expertise on sewers, would have to do almost what we are doing, they would have to have a contract with a pump vendor, a contract with someone who knows the instrumentations, somebody to do emergency digging type of things - all of these other subcontractors they would have to retain on call. That is kind of what we are doing right now, setting it up in his department so that this new person will have this available to them, we just signed a contract with somebody to take care of the generators on an annual basis and to go through and maintain them. We have Commercial Pipe Cleaning to take care of emergency flushing. We have this pump vendor right now on call to take care of the pumps, and we will set up formal contracts with them. This individual, the manager or superintendent will be responsible for making a determination, when to call them out, who to call out, occasionally we may have to get the Public Works crew for some things, perhaps some excavation and right of way areas clearance they have taken care of. Mr. Woodford questioned who responded. The Town Engineer reported Avon Water did not respond, Connecticut Water did respond they do provide this service of taking care of sewers in New Hartford, Heritage Village and others. But again most places they want to get involved in have treatment facilities, not just collection systems. They did respond but the cost was \$180,000 a year just for routine going into pump stations, and we do that for \$20,000. Simsbury was saying they will take care of what is in our shed, but he is not impressed with the care of their own sewers. It could realistically help everybody if one of those towns took it, because the unit cost can go down, they have the personnel, they do have the expertise.

Chairman Hines reported the Town Manager has been telling us for a long time that we needed to get someone in here full time to take care of this, especially as the Town Engineer and Assistant Town Engineer may leave. The Town Manager reported it is really a transition plan from a half-time person to a full-time person, but it is the right thing to do at the moment for the Town, along with the plan. Chairman Hines reported we have 50% of our facilities under sewers now, it is getting to be a pretty big effort, we have to step up to it. Mr. Shea reported he is in favor of it, but questioned whether it would cost more, we are going to need somebody pretty qualified. The Town Manager reported we looked at comparables before we put any of this together, looked at what other communities are doing, what the pay ranges are, plugged it into our benefit structure.

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

**RESOLVED:** That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed \$39,252 from Sewer Fund, Other Financing Sources, Undesignated Fund Balance Account #05-0390-43913 to Sewer Fund, Sewage Coll. & Disp., Defined Contribution, Account #05-3205-51011 \$26,150, Sewer Fund, Sewage Coll. & Disp., FICA, Account #05-3205-51031 \$1,961, Sewer Fund, Sewage Coll. & Disp., Defined Contribution, Account #05-3205-51038 \$1,961, Sewer Fund, Sewage Coll. & Disp., Dental Insurance, Account #05-3205-51034 \$540, Sewer Fund, Sewage Coll. & Disp., Life Insurance, Account #05-3205-51035 \$56, Sewer Fund, Sewage Coll. & Disp., Workman's Compensation, Account #05-3205-51036 \$668, Sewer Fund, Sewage Coll. &

Disp., Long Term Disability, Account #05-3205-51037 \$45, and Sewer Fund, Sewage Coll. & Disp., Retiree Health Account #05-3205-51039 \$2,500, for the purpose of funding the position of a Superintendent of Sanitary Sewer Collection System for one-half year.

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

**05/06-17 Award Bid: Board of Education and Town Trucks**

The Director of Public Works reported we procured the cab & chassis through the State of CT, Department of Administrative Services Contract for the M&E division vehicle and the Board of Education vehicle. The Director of Public Works reported it is a good program because some of the bigger automotive truck line industrial manufacturers give large percent discounts to the State and subsidiaries. The types of vehicles are not always available through this program, but at this time these trucks are. Chairman Hines questioned this is the best route for the best price? The Director of Public Works reported yes, by far. The service bodies were done by written quote process, and the two-way radios through the Town’s selected provider. The Town Manager reported in terms of financing we have \$40,000 budgeted in 05/06 capital budget for the Town truck, which is \$8,116.98 short, we have come up with other funding sources for that. The big change though, during the latter part of the budget deliberations, the decision was made to allow the Board of Education to move ahead with a truck, but to explore the leasing option, he indicated that he did not think that was a good option to explore, so he is recommending that we appropriate the full amount of the Board of Education truck which is \$44,916.98 out of surplus. We are beginning to get the 04/05 budget results in, while the auditors have not gone through the audit report, some of the revenues particularly the conveyance tax are higher than what we had anticipated and some of our expenses particularly the 267 Country Club Road for the library expansion and the idea here is to go ahead and buy the Board of Education’s truck rather than leasing. This is an additional vehicle to the Board of Education fleet for Thompson Brook School. Mr. Shea reported during the budget process we should communicate to the Board of Education that we should have a discussion about how many vehicles they have, because when we start to get to the five, six vehicle number for their use, we need all three boards to act as a check and balance. The Town Manager reported on the October agenda he will be giving the Town Council the recommended schedule for the capital improvement program meetings. Mr. Carlson reported periodically he would like to see a competitive bid at some point, verses the State program.

**a. Supplemental Appropriation \$53,033.98**

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

**RESOLVED:** That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed \$44,916.98 from General Fund, Other Financing Sources, Undesignated Fund Balance Account #01-0390-43913, and transfer from General Fund, other Financing Uses, interfund Transfers Out Account #01-8700-58000 to Capital Projects Fund (Facil & Equip), BOE CIP-Equipment, Pick-up Truck Account #02-4864-53061 and Capital Projects Fund (Facil & Equip), Other Financing Sources, Interfund Operating Transfers-In-Account #02-0390-43918 in the amount of \$44,916.98 for the purpose of funding the Board of Education truck.

And transfers from Account:

#02-4849-52183 Cap. Proj. Fund (F&E) Library Expansion Legal Fees	\$ 377.00
#02-4849-52219 Cap. Proj. Fund (F&E) Library Expansion Other	1,329.00
#02-4849-52239 Cap. Proj. Fund (F&E) Library Expansion Materials Other	5,500.00
#02-4840-53375 Cap. Proj. Fund (F&E) Town CIP PW Dump Truck	<u>910.98</u>
Total	\$ 8,116.98

For a combined total of \$8,116.98;

To Capital Projects Fund (Facil&Equip), Town CIP-Equipment, Pick-up Truck Account #02-4844-53354 for the purpose of funding the balance of the Town truck for a total cost of \$48,116.98 (\$40,000 budgeted in Fiscal Year 05/06 Account #02-4844-53354).

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

**b. Pick-up Truck – Town - \$48,116.98**

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

**RESOLVED:** That the Town Council award the bid to Scranton Motors, Inc. in amount \$30,771.98 for cab and chassis, to Hartford Truck in amount \$15,945.00 for a service body, and procurement of two-way radio in amount \$1,400, for a total of \$48,116.98 for a pick-up truck to be used the Town’s M&E Division, as recommended by the Director of Public Works.

Messrs Hines, Carlson, Shea and Woodford voted in favor

**c. Pick-up Truck – Town - \$44,916.98**

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

**RESOLVED:** That the Town Council award the bid to Scranton Motors, Inc. in amount \$27,570.98 for cab & chassis, to Hartford Truck in amount \$15,946.00 for a service body, an procurement of two-way radio in amount \$1,400, a total of \$44,916.98 for a pick-up truck to be used the Board of Education, as recommended by the Director of Public Works.

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

**05/06-18 Approve Tax Refund: \$8,753.40**

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

**RESOLVED:** That the Town Council approve a tax refund in amount \$8,753.40 to Ashok and Kirti Patel, as recommended by the Collector of Revenue.

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

**05/06-19 Supplemental Appropriation: \$6,500 Backup Floating Pump for Irrigation System, Fisher Meadows**

The Town Manager reported the irrigation system at Fisher Meadows’ water supply is Spring Lake and during periods of drought water levels in the lake periodically drop to the point where the intake pipe for the main pump is exposed and will not adequately draw water for the system. It was determined that a backup floating pump was needed.

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

**RESOLVED:** That the Town council favorably recommends to the Board of Finance an appropriation not to exceed \$6,500 from Account #12-0390-43913 Fisher Meadow Maintenance Fund, Other Financing Sources, Undesignated Fund Balance, to Fisher Meadow Maintenance Fund, Contingency, Materials-Other, Account #12-8701-52239 for the purpose of funding an emergency purchase and installation of a backup pump for the Fisher Meadows irrigation system.

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

**05/06-20 Suggestions for CCM/CRCOG/COST 2006 State Legislative Program**

Chairman Hines reported we should start with what we gave them last year, the Town Manager wrote a letter in 2004, and a lot of these still exist. He prepared a list of suggestions – DOT requests for three projects in Avon, Route 44 in Avon, Bridge over the Farmington River and Old Farms Road, with attachments. We should put documentation with the suggestions as to why they are so important



especially for Avon Mountain. Also binding arbitration, code of ethics, moving revaluation to ten years, the act concerning fire fighters where paid fire fighters are not prohibited from volunteering from being volunteers in their home towns, tax reform studies as recommended by the Blue Ribbon Commission, also on School Aid to Towns, DCS rent formula needs major overhaul, Avon's grants are not in line with Avon's contribution to the State Income Tax. State mandates – binding arbitration and the ability to pay, minimum wage Davis Bacon, school requirements on special education which is also federal, and Department Heads and Municipal Employees Relationship Act for memberships and bargaining units. He would suggest three more additional items, 1. Eminent domain – not that we are in favor, but we want towns to have a capability for eminent domain and when done properly there is no need for more legislation. 2. Medical malpractice study – it needs some evaluation in this area as it is driving up costs and discouraging doctors. Mr. Shea reported they need to work with the doctors as well, they seem not to be working together when there is a problem, it is two-fold, how do we protect the residents from malpractice. Mr. Carlson reported he agrees we need to broaden it, when looking at rising medical costs, there is a much bigger issue and study that needs to be done, more hospitals mean huge costs and an infrastructure that goes with it, if we are going to encourage them to look at measures to retain quality medical staff in the State. 3. Chairman Hines reported next is support of housing to try to solve the homeless problem because right now these shelters do not do it, and the support of housing seems to be the only one where you look at the total problems, training, solve their medical problems, and getting them transportation seems to be working. It got some funding this year, and it is something worth continuing to support. This should be sent to COST, CCM and CRCOG.

Chairman Hines reported these are State programs, he questioned whether the Town Manager is looking for anything on the Federal line right now. The Town Manager reported not at the moment, CCM usually handles those. He attended the National League of City meetings where these things come up, but they were more focused on funding for the transportation bill which was finally passed this summer.

**05/06-21 Supplemental Appropriation: \$6,000, Landfill Transfer Status Modification Required by State DEP**

The Director of Public Works reported we are here for the permit renewal process for the Transfer Station, for another 5 year renewal with DEP. He had an onsite inspection by DEP as to the site compared to the application that we had submitted and upon their inspection they found some items that are in need of repair. They have some regulation changes that require us to store the propane tanks in another area, the base they consider impervious, they want to keep the integrity of them, to eliminate the chance of any contamination into the soil. Chairman Hines reported it is still a beautifully run landfill, and we thank you for continuing to take care of it. The Director of Public Works reported he has never seen a transfer station that nice.

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

**RESOLVED:** That the Town Council favorably recommends to the Board of Finance an appropriation not to exceed \$6,000 from Account #01-0390-43913 General Fund, Other Financing Sources, Undesignated Fund Balance to Account #01-3201-52185 General Fund, Solid Waste Disposal, General Service for the purpose of funding unbudgeted modifications to the Landfill Transfer Station as outlined by the DEP .

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

**VIII. TOWN MANAGER'S REPORT/MISCELLANEOUS**

The Town Manager reported on Hurricane Katrina we have had five or six different requests for the Town to become involved on a more pro-active basis. The last three days, not including the weekend, there have been State wide conference calls that we have been asked to call into to the Office of Emergency Management, which is part of the State Office of Homeland Security and Emergency

Management, the Governor was there one day. Where they are coming from at this point in time is to get people to probably use existing efforts rather than creating new efforts for assisting the hurricane victims and evacuees. In fact even this evening the Head of the Office of Emergency Management wanted to discourage new efforts for collecting of food, bottled water and blankets and all of that, and encourage cash. So they are already being overloaded in some cases with supplies and what not. His suggestion to the Town Council is that we really do not start our own program or support any one particular effort, that essentially we, if asked, go ahead and support all of the efforts and let everybody decide what they feel they are most comfortable participating in, whether it is - Red Cross, one of the church groups, United Way, Salvation Army, any of these particular events.

The Town Manager reported that is one aspect of this, another aspect is that we have been all told that we need to submit a report to the State on what personnel and equipment that might be available in our communities to be provided on a loan basis or reimbursement basis, if needed. He submitted a report, after a meeting with the Fire, Police and Public Works Department. The Fire Department has four volunteers, and they also have a truck which is outfitted with a portable generator and search light type lighting, that they are willing to volunteer. The Public Works Department has nothing really that we feel that we can give at this particular point in time. The Police Department feels that they can provide one person for dispatching services if that is an appropriate need. He is going to submit this report to the State. Now every single town in the State is submitting a report, and they are putting this into a data bank, and the data bank is then given on a national basis through what they call EMAC which is the State to State mutual aid program. We have our own mutual aid agreements town to town, for each of the 48 states there are corresponding agreements between. This is consolidated or aggregated at the Connecticut level, it is then furnished through this EMAC data base and if any of these other states want to draw down these resources they go through the State of Connecticut, the State of Connecticut contacts the municipality, the municipality then goes ahead and furnishes the equipment and people.

In the case of the Fire Department, FEMA directly solicited all of the Fire Departments looking for 2,000/2 person teams, 4,000 people, to go through a training program, a day travel, two weeks on site, a day return travel program. Where FEMA would be paying them \$29 an hour. That is being done directly Federal to local fire departments. Chief DiPace is working closely with us. There is only one Town employee, in the Public Works Department who would be one of these four people, and he would suggest that if for some reason that our employee is called that we treat it similar to what we would do if we had a veteran, a member of one of the armed services, in terms of military service. We have that model in place and that works.

Chairman Hines reported we have had requests from many private people, trying to get the Town involved in different events for hurricane victims, perhaps we could put a press release on the website stating we are working with FEMA, preparing reports, equipment that is available, possible employees involved, we would recommend that each person work with the charity they want, like the ones we have stated, and we encourage people to do that. The Town Council was in agreement.

A third aspect of it which is a little different, is the issue of gasoline and the fact that we do not provide vehicles to most of our employees to do their work, and he is beginning to get a lot of static from the Building Department and Zoning, that we need to make some mid-year adjustments in the cost of the allotments that we provide them. We are paying the IRS rate which is equivalent to .40 cents per mile, and we periodically analyze the amount of travel that they do, they fill out every other month a detailed log. He may return at the October meeting with a budget request that we adjust some of these allotments and our mileage. He anticipates that the gas prices are probably going to go down, we do not know how far and how fast it will go back down. Chairman Hines questioned whether he sees anything happening on the Federal Government level, to changing that number. The Town Manager reported it only comes

out once a year, and it is published as part of the tax guidance. They might make a change but he is not counting on that, because the new tax guidance will be coming out in 90 days or so, and he is sure at that point in time it will go up, probably from 40 cents to 45 or 50 cents. What he does is take a percentage, like a 4 cent per mile increase on 40 cents is a 10% increase, if we give somebody an allotment of \$200 a month, then we may need to increase that the same 10%. They want something now because they are really hurting, so he may be coming back in October with an adjustment in that area. Chairman Hines reported we should do something. Mr. Shea reported he agrees we should respond, but we need to be very careful because however we respond we have to have the ability to go back. The Town Manager reported what he would like to do is to come to the Town Council with a recommendation, that would be one option, another option would be to increase it a certain amount until January when we get the new IRS rate, and then the new rate would then go into effect the subsequent July. Mr. Carlson reported we will do it in January, his question is when we set this year's rate, based on the 40.5 cents per gallon, as reimbursed by the IRS, there was an average price of gasoline at that time, whatever it was, when you come back with a recommendation he would like to have that information as well. Then at least we can say it was set at that point, with the average price of gasoline here, we are going to give you a temporary one month to month increase. The Town Manager reported but he is going to resist making month to month corrections, because it becomes a nightmare logistically, we have a number of people on different systems now. The July 1<sup>st</sup> rate is probably what he will be looking at, and we have had somewhat of an increase, and we are going to be finding out what that is. The IRS rate is based upon not just gas, it is based upon wear and tear, if we do change it in the middle of the year we are setting a precedent, and yes it can go up and it can come down, but not under pressure to review it every six months under pressure for change, whether as management or employees.

The Town Manager reported we have the quarterly financial reports, we are doing reasonably well, there is nothing unusual that requires a lot of explanation at this point in time. The building permits are still holding up, they will probably not be where they were last year, but if they continue at this rate, they will be pretty close to that, in the hundred range for a single family home.

The Town Manager reported there is a workers comp report, they are pretty complimentary at least from the Town's side, the Board of Education's is good, but we are looking at a readjustment between them and us in this upcoming budget, it is going to be shifting more to them and less to us.

The Town Manager reported he has an Avon Mountain accident update, there really has been nothing new on the accident. We anticipate that the Police Department will be finishing up their report probably within three weeks. The latest thing that is happening is that they are recreating the accident scene at Tow Star in Canton which is the repository for all of the wrecked vehicles. This is being done primarily for insurance purposes and to make sure that we know what vehicle was touching what vehicle and what the chain of events were. The last part is still trying to get the most difficult thing, because of different laboratories, is to get a metallurgical analysis done of the parts that were found on the roadway. The Deputy State's Attorney who the Police Department are working with, do not want to have them sent out of State if they do not have to. We still have the bus stored at the Town Garage, and of course we have the dump truck stored there. But there has been nothing else new from the State level, you can see the new signage and everything that has been put in.

Chairman Hines reported he, the Town Manager and Police Chief Agnesi attended a meeting that was called by the Safety Committee, as part of the Town Council in West Hartford. Chief Agnesi had to make quite a few comments. It was a meeting for our State Legislators to ask questions. Senator Herlihy, Mr. Harris of West Hartford and Representative Farr were there, Representative Witkos was not. The DOT people were there, and it was interesting to see the Legislative people communicating with the DOT people. Nothing was offered, his only comment at the end was what can we do to speed

up the work on the study that has already been done, which said they were going to make improvements on Route 44 at the top of the mountain, and Senator Herlihy tried to support that, and we did not get any commitment at all, the best right now is 2009. Mr. Shea reported if that is it and they are not committed, we do not want these trucks going over the mountain, there is going to be no tunnel. They need to start getting into how to design that differently, or how they go about constructing that. Mr. Carlson reported there needs to be a fundamental change to the law regarding the inspection of these trucks in the State that services them. Frankly, all due respect to the Governor, her first comment about speeding and all of that, while it is interesting and true it is not the heart of the problem in the situation. Mr. Shea reported Senator Herlihy said to him that certain size trucks and certain weight trucks should not go over the mountain, and he responded we could never do anything like that, first of all who is going to stop them from coming up and going down.

The Town Manager reported included is a copy of the letter he sent to Ernie Rettig about the two stones for the Evergreen Cemetery, for the two graves for the poor. The Town Clerk reported several years back, probably 1940 and 1959, one was murdered at the Avon Country Club, and one died in a barn on Waterville Road, these were bodies that nobody claimed, so the Town buried them at the Cemetery. The Town Manager reported he informed the Cemetery to order the stones and take care of it for the Town.

Chairman Hines reported loud motorcycles have increased and they drive in groups, but he has seen motorcycles drive by that do not make noise so it is a choice, something needs to be done about it. We should check with Chief Agnesi as to whether the noise can be regulated and whether it needs to be done on the Local, State or Federal level.

**IX. ADJOURNMENT**

The meeting was adjourned at 9:15 p.m.

**Attest:**

**Caroline B. LaMonica**

**Town Clerk**