

**AVON TOWN COUNCIL  
MEETING MINUTES  
OCTOBER 6, 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 present: Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford.

**II. PUBLIC HEARING - None**

**III. MINUTES OF PRECEDING MEETING**

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

**RESOLVED:** That the Town Council approve the minutes of the September 7, 2005 meeting as read. Messrs Hines, Carlson, Shea and Woodford voted in favor. Mrs. Hornaday abstained, absent from meeting.

**IV. COMMUNICATION FROM AUDIENCE – None**

**V. COMMUNICATION FROM COUNCIL**

Mrs. Hornaday reported she had an occasion to call the Engineering Department because of some concerns about erosion and things down into New Road and Tunxis area. She was very pleased with the letter that the Town Planner sent to people about the work they have been doing, they have gone out, inspected, spoken to the builder. She was very pleased that the residents can see that kind of quick response to their comments.

Chairman Hines reported he went to the Hazardous Waste Day recently in Simsbury which was for this whole area, and it was perfect, he was in and out in a half hour. Which was tremendous when you see the crowd they had there, so it is working very smoothly.

Chairman Hines reported he attended the Living Memorial Garden at the Senior Center, it is the most beautiful garden, he would urge everyone to see it. It was put together by contributions, a large one made by the Seniors.

Chairman Hines reported he attended the bridge dedication in Collinsville on Sunday. We had some of our veterans were there, Representative Kevin Witkos was there.

Chairman Hines reported he attended the Interval House 'domestic violence in the work place' meeting in our Town Hall. It was a very good meeting, Lieutenant Barrows was there, overall it was a good response, although he would like to have had more people attend.

Chairman Hines reported we received a letter from Peggy Roell on the ball field at the High School, and what is going on there. He spoke with the Avon High School Renovation Addition Building Committee Chairman, he is trying to work out some agreement with the Architect so there are no increased cost for that. Peggy Roell came up with the suggestion of using astro turf as a possibility, for lower maintenance.

Chairman Hines reported the Town Manager and he have been working on the CRCOG, COST and CCM, as to whether he could continue as an alternate after January. The Town Manager checked with the CRCOG Executive Director, and it looks like he can continue.

Chairman Hines reported recently at the Annual Meeting of the New England Park Association, Philip K. Schenck, Jr. Town Manager was presented by the NEPA with an award. This award was last given out in 2001, it took four years to find someone good, this time they found the right person in Philip K. Schenck,

Jr. What they did was to look at a person or group who had demonstrated continuing leaderships in efforts to improve and protect the quality and quantity of municipal park and recreation programs and projects within the New England Region. It is not normally given to a member, and Mr. Schenck has been a guest speaker, speaking on public works maintenance, parks, unions, GASBE 34, financing of parks and so forth. It is wonderful that this award was given to Philip K. Schenck, Jr., our Town Manager. We are glad to present this to you tonight, Phil.

The Town Manager reported Hartford Magazine called, they have been doing a survey of the 29 towns in the area, and also talking with various residents of the 29 towns, and Avon was voted the most desirable, or the best community in our population category in the Hartford Region. They wanted to let us know about that, and they have asked to basically have an interview with Chairman Hines and maybe a picture or something for the magazine. That will be coming forward in the next addition of Hartford Magazine. Mrs. Hornaday reported that confirms what we think.

## **VI. OLD BUSINESS**

### **02/03-72 M. H. Rhodes Building: Approve Ground Water Monitoring Contract**

The Town Manager reported Ned Shanahan is here to give an update of where we stand in terms of the environmental process on the property. Mr. Shanahan of Shanahan Consulting reported he started working the property in December of 2002, the Town actually acquired this piece of land in May 2003, since that time he has been doing the supplemental environmental testing, and he also oversaw the removal of 485 tons of contaminated soil. Where we are at this point, is that all of that work has been documented, sent into the State of Connecticut and now the next phase of the work that has to be done, and he presumes the last phase is ground water testing. The cleanup standards that have been put forth by the State of Connecticut, Department of Environmental Protection, call for ground water testing for quite a long period of time, which would be from as short as two years to four years or longer. One of the uncertainties is the length of the time of testing depends on what is actually detected in the tests, which have not occurred at this point. The suggestion from early test data is that we are not going to find anything very exciting, and that the testing will probably find low levels of contaminants, the testing period would probably be four years. Actually in the clean up and supplemental exploration work there were no surprises of any magnitude at all, the costs came out just about as predicted about \$50,000 to \$150,000, and based upon the numbers he had it is about \$90,000. Things have gone pretty much as planned, there had been a lot of work done before the Town purchased the property and that data proved valuable by allowing us to predict what was going to happen in the future. The town will have to deal with what all his clients deal with – will this ever end? That is the way these cleanup standards are written, they are written by the State of Connecticut to be very protected, they want to test ground water for many years.

Mrs. Hornaday reported it is two to four years of testing. Mr. Shanahan reported it is actually broken up in two pieces, there is an initial year called compliance monitoring, where the wells are tested four consecutive quarters for one year, a rather intensive program. After that testing is done, there is a less intensive program of testing that goes on called post-remediation monitoring, that would be testing at those area where we actually dug up and removed soil, to demonstrate that either that contaminated soil did not impact ground water, or that if it did that the levels are diminishing. Mrs. Hornaday questioned whether we will now be able to do some things on the site, in terms of grass, and other things while that testing is being done. Mr. Shanahan reported there is nothing to prevent that, the only thing that he asks is that work be coordinated through him, because those monitor wells that are out there could be rather expensive to replace if they are damaged or buried. There are metal protectors that can be reinstalled at the correct heights so that they could be used. It would be valuable, if there are plans for putting certain playing fields at certain locations that he coordinate the layout of those fields, it would be best obviously not to have a monitor well in the middle of a playing field.

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

**RESOLVED:** That the Town Council authorize the Town Manager to sign on behalf of the Town of Avon the Proposal and attached Terms & Conditions with Shanahan Consulting for continuation of Ground Water Monitoring, on a semi-annual schedule, at 99 Thompson Road, the former M. H. Rhodes Property.

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

**05/06-06 Approve CIP Budget Presentation Schedule**

It was the consensus of the Town Council to change the Town Council regular meeting date from the scheduled December 1, 2005 to December 5, 2005.

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

**RESOLVED:** That the Town Council approve the 05/06 Capital Budget Review schedule as follows:

November 3, 2005	Regular Town Council Meeting (7:30 p.m.)
	7:45 p.m. General Government
	8:15 p.m. Police Department
November 17, 2005	Special Town Council Meeting (7:00 p.m.)
	7:00 p.m. Parks and Recreation
	7:45 p.m. Public Works
	8:15 p.m. Engineering
December 5, 2005	Regular Town Council Meeting (7:30 p.m.)
	7:30 p.m. Board of Education
	8:30 p.m. Fire Department
	8:45 p.m. Library

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

**VII. NEW BUSINESS**

**05/06-22 Review and Discussion: AVFD Length of Service Award Program (LOSAP): Bud Desmond**

Mr. Desmond of the Avon Volunteer Fire Department reported he would like to speak on LOSAP, Length of Service Award Program, which began nine years ago. We are going to be requesting an increase from \$250 to \$300 per member per year in the program, there are also some by-law changes that need to be signed. The main goals of this plan was to encourage members with significant years of service as volunteer firefighters to continue to serve. We were losing members with 10 to 12 years, maybe Captains, with a lot of experience and leadership experience with us but they have other things to take care of, they are too busy and they drop out. We thought this might be something, even though it is a relatively small amount, but to some with 12 years might be looking at \$3,000 or \$3,500, which if they had 15 years and turned age 60, they might think twice as to whether they were going to leave the department. It was also to provide an eventual dollar amount award for long service to people, and that is why we put money towards past service to people who have served the Town for up to 30 years sometimes. We started nine years ago, fiscal 96/97, we budgeted it in 97/98 and you will see as you go on through that by the time we invest the funds and got all of the by-laws in place, after the Consultant and the Town Attorney were satisfied with it, it did not get on line for a year and a half.

Mr. Desmond reported our proposal is to increase the present \$250 for a 'good year' to \$300 an increase of 20%. Inflation has increased 24% over the past 9 years, this year with 92 people, that increase of \$50 would be an additional \$4,600, the total LOSAP is \$25,000 next year, which would gradually grow if recruiting is successful.

Chairman Hines questioned how this program helps the department with getting people to stay as well as recruiting new people. Mr. Desmond reported it is nothing compared to the break on the taxes, the tax abatement, that is the one thing that gets people's attention because it hits every age. Mr. Carlson questioned whether he has done calculations on how much is owed to someone that is leaving. Mr.

Desmond reported our Pension Consultant we pay for does all that. Mr. Carlson questioned what the fee is that is paid to the Pension Consultant. Mr. Desmond reported total fees are about 27.6% for management of the total fund, the total over those years is \$7,200. We are also here tonight for changes in the wording of our LOSAP bylaws, which would have to come to the Town Council for approval.

Mr. Woodford questioned whether Mr. Desmond has an assistant, he is such an integral part of everything we do, especially with finances with the Fire Department. Mr. Desmond reported there are people computerizing the whole process, and generally he has said as soon as they can produce the monthly reports for the Board and the quarterly report for the Town Council that they can do it. Mr. Woodford reported not just LOSAP, but everything. Mr. Desmond reported no, but we are working towards that. The Town Manager reported this program was started nine years ago, there have not been regular updates to the Town Council. We do get quarterly reports on everything, and each employee gets an annual statement, but the Trustees have not put it all together into a final report. Mr. Carlson reported he would suggest that, when you have a fund of this size, with the number of people participating, you would want to do that, and on an annual basis provide us with a copy of it.

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

**RESOLVED:** That the Town Council approve the Avon Volunteer Fire Department LOSAP proposed changes, subject to review and approval by the Pension Consultants and Town Attorney.

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

**05/06-23      Review and Discussion: Request for Assistance: Avon Chamber of Commerce, Avon Park South Sign**

The Town Manager reported the Avon Chamber of Commerce, essentially the businesses in Avon Park South, as in the letter individually signed by all of them, are interested in changing the existing sign that is located at the entrance. The Planning & Zoning Commission has reviewed the proposals, copies of the renderings are included, and they have approved that. The next step was to go out and get the sign company to move ahead with it, and they found that it was on the State DOT right-of-way. The State DOT would not write a letter initially without the Town's approval and support of it. We have a letter signed by Stanley Fisher dated 1972, that was sent to the DOT requesting approval and giving them all of the information, no one including Ensign-Bickford or the Town has a response back from the State Highway Department authorizing the sign. The problem is going back 33 years, sometimes the records are not entirely complete. We had a meeting out at the location, and the State DOT said that if the Town was willing to enter into a lease agreement with the State, then having the sign put there would be alright, they would not have a problem with it. He is seeking from the Town Council, on behalf of the Chamber of Commerce, approval to proceed to work with the DOT to get the appropriate paperwork in place, so that we can go ahead and either lease or if they want to sell it, purchase the section that is needed so that the Chamber can go ahead to put up their new sign. Chairman Hines question whether it is a yearly lease for money. The Town Manager reported no, he does not believe so, it is a zero dollar amount, if there is a cost he will return, and the Chamber will have to decide whether they want to proceed. The Town owns the property right of way for Darling Drive immediately adjacent to the State right of way, so it really maybe would be an extension of the Town right of way northerly closer to Route 44, on the west side of Darling Drive which is where the sign is. We looked at moving the sign all the way over onto the Town right of way, but it would straddle the bike path that goes down underneath the culvert, under Route 44. The new sign would be south of that.

Mr. Shea reported he is supportive of this, but his concern is that the DOT indicated that the Town of Avon could either purchase or lease the site from the State. How are they going to do this without money being involved? How is the Chamber involved with the purchase of this? He understands the Chamber helping the businesses, and is in favor of that. Are they purchasing it? The Town Manager reported no, the Town of Avon would be. Mr. Shea reported he is concerned what our ongoing responsibilities are going to be and what kind of precedent it would set. The Town Manager reported from his standpoint the

only thing that the Town would be doing would be approaching the State DOT to either lease or purchase, and both of those perhaps imply money, but the impression he was given by the DOT representative at the meeting that we held out at the site was that if the Town was doing it, there would probably be no requirement for any funding. Part of the conditions on the lease would be that if the DOT wanted the sign removed or changed, they could require that after so many days notice, that the sign be relocated. The Town Manager reported the Town Council inquiry regarding who is responsible for maintenance of the sign, there is no owner per se, Ensign-Bickford right now has been maintaining those signs, and has been maintaining a lot of the common property in Avon, but they are now divesting themselves of all of those responsibilities. He would say that down the road if that sign needed maintenance or say if there was an accident and somebody plowed into the sign and it needed to be repaired, the Chamber of Commerce is the body that he would go back to, to take care of the repairs. We may need to look at an agreement with the Chamber of Commerce if the State goes ahead and says yes, they will work with us on this. Mr. Shea questioned if they said we could buy it for nothing, is there any way that once we buy it or lease it, that we shift the responsibility to the people that have signed the letter. The Town Manager reported that is what we have to do, the Town is simply an intermediary on the leasing. Mr. Shea reported he is in favor and supportive, but in the end he is concerned about precedent and the Chambers role, he understands they are assisting and being supportive but in the end the property owners are going to benefit and the property owners should be responsible. The Town Manager reported right, but we need an entity to pass the responsible to, and he would assume that the Chamber or a newly conceived entity of the businesses within the park would be the ones responsible for the sign. He broached that with the Chamber and they were to talk with the businesses regarding liability and maintenance.

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

**RESOLVED:** That the Town Council approve and authorize that the Town Manager, on behalf of the Town of Avon, to proceed with the process of entering into either a lease or purchase agreement with the State DOT, at no cost to the Town, and work with the Chamber of Commerce and Avon Park South businesses in order to implement their new signage program.

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

**05/06-24 Approve Service Contract: Farmington Valley ARC**

The Town Manager reported this is an extension of the agreement with Farmington Valley ARC for diagnostic service for individuals with special needs, in terms of how they participate in our recreation program.

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

**RESOLVED:** That the Town Council approve the Service Agreement with Farmington Valley ARC, Inc., FVARC, for provision of aids/interns for one to one assistance, as needed, at a contract price of \$4,800 for September 1,2005 to August 31, 2006, \$1,200 to be paid quarterly, subject to review at the end of the original agreement period.

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

**05/06-25 Approval: Renewal of 05/06 CASAC Local Prevention Council Grant Program**

The Town Manager reported this is an ongoing grant program that we have participated in, in prior years, and meets our obligations for providing a drug and alcohol abuse counseling program for Avon. This helps fund the alcohol free graduation party and the ROPE program at the Middle School, also other programs in the Town.

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

**RESOLVED:** That the Town Council authorize the Town Manager to sign on behalf of the Town of Avon the FY2005/2006 CASAC Local Prevention Council Grant Contract in amount

\$3,105.00, for funding to support local activities related to substance abuse prevention, as recommended by the Director of Social Services.

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

**05/06-26 Supplemental Appropriation: \$31,226: Federal Grant, DUI Enforcement Vehicle**

The Town Manager reported we have received a reimbursement check from the Federal Government for the DUI Enforcement Vehicle, which purchase was approved almost two years ago, a supplemental appropriation is needed.

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

**RESOLVED:** That the Town Council hereby recommends that the Board of Finance amend the FY04/05 amend the FY04/05 Budget by increasing:

REVENUES

General Fund, Intergovernmental, DUI Enforcement Vehicle Fed 05-164-AL, ST 0185-6537, Account #01-0330-43320 in the amount of \$31,226 and increasing:

APPROPRIATIONS

General Fund, Patrol Services, Vehicles, Account #01-2107-53311 in the amount of \$31,226, for the purpose of recording receipt of federal grant to purchase the DUI Enforcement Vehicle.

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

**05/06-27 Supplemental Appropriation: FEMA Grant: \$53,305 Snow Removal 1/22-1/23 2005 Storm**

The Town Manager reported we have received a check from FEMA in amount \$53,304.64, to help offset some of the overtime costs that we incurred in January, a supplemental appropriation is needed.

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

**RESOLVED:** That the Town Council hereby recommends that the Board of Finance amend the FY04/05 Budget by increasing:

REVENUES

General Fund, Intergovernmental FEMA Reimbursement, Account #01-3401-43313 in the amount of \$53,305, and increasing:

APPROPRIATIONS

General Fund, Building & Grounds, Overtime, Account #01-3401-51015 in the amount of \$53,305 for the purpose of recording additional revenues received as reimbursement from FEMA for exceptional winter storm costs.

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

**05/06-28 Appointments: Plainville Area Cable Television Advisory Council (PACTAC)**

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

**RESOLVED:** That the Town Council table one appointment to the November 3, 2005 meeting.

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

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

**RESOLVED:** That the Town Council appoint Elaine G. Primeau to serve on the Plainville Area Cable Television Advisory Council.

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

**05/06-29 Review and Approve Contract Renewal: Internet Access Agreement: SBC**

The Town Manager reported this would extend the contract with SBC, initiated three years ago, to provide our internet services. The background materials contain information from Fuss & O'Neill. We did have

an option for five years, but decided not to go with that because we think the technology is changing so rapidly that we do not want to tie ourselves in too long. We are looking potentially at wireless connections where we can put them in between here and Company #1 firehouse, but the topography of the Town Hall limits putting in a link to the Public Works Garage or the Library at this point.

Mr. Woodford questioned whether the tower has been installed at the Landfill property. The Town Manager reported that is still moving along, they are required to start payments next month, regardless of whether a tower has been erected or not. He would anticipate they would be going up anytime now, they had to move the tower and needed to get Siting Council approval, they are awaiting them to officially give them an authorization to move it. The Town Manager reported that whole western area of Town is really a hit and miss situation.

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

**RESOLVED:** That the Town Council authorize the Town Manager to enter into a three year contract with SBC Communications, Inc. for Internet Services for the Town of Avon.

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

**05/06-30 Review, Discussion and Approval: An Agreement Between the Avon Board of Education and the Bargaining Representative for Administrative and Supervisory Personnel for the Period July 1, 2006 through June 30, 2009.**

Mrs. Florence Stahl, resident and Taxpayers Group Member, reported she is here to speak on this issue because the news just came out in today's newspaper. She just came from the candidates night at Pine Grove School and they talked about citizen involvement and that they wanted to become informed, and to let them know what we think. We know that the Town Council does not have to take any action on this, if you do nothing it is approved in 30 days. She is here to ask the Town Council, and she knows that the Council governs well, but there has not been any opportunity for any public input, we have not had a moment to study this. To go from having it submitted to having it approved without any chance for discussion. She is not here to say this agreement is good or that it is bad, she is just saying that she begs the Town Council to table this so that we can have some time to study it, and come up with some questions. We are talking about hundreds of thousands of dollars.

She questioned what the changes to the Board of Education agreement are, where are they different, what is the long term impact on the budget? Something that would help us understand it, rather than to rush to approval tonight, when it is not necessary. She is here to ask the Council to be true to your instincts in terms of the democratic process, there is no need to rush to approval, leave some time for citizen input. We may say it is a wonderful agreement, we do not know, but this rush is unseemly and it is not a good precedent, and there is no reason for it. Her plea to the Council was to use good judgement and allow some time for the public to digest this, she is sure the Town Council has, but the public sure has not.

Chairman Hines reported actually over the years, the contracts that come to the Town Council from the Board of Education, the big one is the Teachers Contract, this one is a very small amount of money compared to the teachers. Usually they are working right up to the last minute to finalize that agreement, they almost went to mediation with this one, then they reached agreement. So there is a short notice but when they give it to us, usually we have 30 days, but at this time the 30 days will have already occurred before we meet again, as we meet on November 3. Mr. Carlson reported you have the opportunity to tell them ahead of time what your recommendations are, frankly there are no labor negotiations open to the public. When negotiations are going on, you have the opportunity to call any Board of Education member, or any Board of Finance member and say what you believe should be, whether the contract should be 2% or 3%, or whatever, you have that opportunity. If we do not approve it tonight and we do not meet within the next 30 days, then this contract is passed, so you get the same result with no additional opportunity to ask questions. Where is that additional opportunity coming from? Mrs. Stahl reported it at

least gives us an opportunity to write a letter, e-mail you, to ask for some clarification. We do not want to turn the Town upside down, we just want an opportunity to ask some intelligent probing questions.

Mr. Woodford reported he sympathizes with her request, it is not unreasonable. What are our options in terms of, if we do not do it tonight, do we have an opportunity to revisit it, do we have to have a special meeting? Chairman Hines reported yes. Mr. Woodford questioned if there were an Education Meeting between now and 30 days that Mrs. Stahl could go to and use as a forum to ask her questions? He reported if we did nothing tonight and allowed her to go to the Board of Education and present her issues would that help Mrs. Stahl? Mrs. Stahl reported it would help. Mr. Woodford reported he does not see any problem with that. Mr. Shea reported he has no problem with taking some time here, but we owe it a vote. Mr. Carlson reported he realizes there were give backs by the union as well as what we are giving in terms of additional compensation, both of these were reasonable, and while he understands that Mrs. Stahl may not have had that opportunity, but he is in full support of this contract, as witness to the process. Chairman Hines reported it is a nice thing when we approve a contract, it says to the administrators and the teachers, depending in which case, that we think they did a good job, and that is important. He would rather schedule a special meeting if we are going to delay it. Mr. Shea reported he agrees with everything Mr. Carlson has said, and the Chairman also, he wants to have a special meeting.

Mr. Shea reported when we go to this meeting, what do you expect the Town Council to do? Clearly we are going to listen, clearly we are going to have an open mind, but we think this is as good a contract as we are going to get. So he hopes by scheduling the next meeting there is no misunderstanding here as to we are going to make some significant changes. Mr. Woodford reported his point is that Mrs. Stahl would go to the Board of Education, and present her problems with this, then come back here. We are really not the forum, the Board of Education is the forum to do that. Mrs. Stahl reported we want an opportunity to ask intelligent questions, that is all we are asking. If you approve it tonight, you pull the rug out. Chairman Hines reported if you want to do something, get down to the legislature and tell them how horrible this binding arbitration is, because that is what is causing this trouble.

Mr. Carlson reported part of this problem is just a calendar matter, not by design, if they had completed their negotiations two weeks ago, this would not be happening. He acknowledges the issue of not enough time to study it.

Mrs. Hornaday reported she does appreciate people needing to ask questions and their need to know, the record should show that she consistently has supported getting increased concessions on insurance and that, the long range savings to the Town when do that is important, and the Board of Education has done a very good job getting that through all of their contracts. We do want to say that, and that we will have our special meeting, and that we notify the Board of Education that we want to give members of the community an opportunity to ask questions about the contract before we approve it.

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

**RESOLVED:** That the Town Council to table this item to a Special Meeting October 20<sup>th</sup> at 7:00 p.m..

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

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

The Town Manager reported he has been solicited for an ad in the VFW 60<sup>th</sup> Anniversary Book, and questioned whether the Town Council would want to pay for that. It was the consensus of the Town Council not to sponsor any further ads, the Town's 175<sup>th</sup> Anniversary was a Town sponsored event. Mr. Woodford reported Mr. Candels should send something to the Council members as individuals.

The Town Manager reported the Chamber Town Business Survey results presentation is going to be held here at the Town Hall on the 19<sup>th</sup>. UCONN will be making the presentation, he will probably be there, the Town Planner will be there, Ron Evans as President of the Chamber will also. The intent is not to look for



any response from the Town Council, but after they go through it, questions may be asked which we may have to respond to.

The Town Manager reported there is considerable information about the CT Coalition for Justice. This has been in existence for 2 years, an outgrowth of a suit that was filed by East Hartford and a number of other communities against the State of CT, through the Judicial System with the idea of trying to get the State to fund the ECS Grant Formula, at the level that would at least equate to 50% of the State's obligation. It has been a long standing commitment of the State to try to fund it to 50% and they got up close to 39% or 40%, back in the late 1980's, and the percentages dropped so that it is now down to around 35% of the cost of education that the State's funding. This lawsuit did not continue because of the tremendous cost that was involved with it, a number of the towns backed out, and so a different tact was taken. That tact was to basically create this coalition, the larger cities that would tend to benefit most from the significant increase in the ECS Grant are the ones that have been funding it up to this point, they are now looking for a broader participation from more municipalities of various demographic backgrounds. They plan on again suing the State of CT, but the towns cannot sue directly, so they have plaintiffs and they basically fund the plaintiffs case against the State. We are basically being asked to participate in this effort.

Chairman Hines reported he heard this total review by the woman who is heading it up, and it is purely pouring money into the program, that is the only way. We know that throwing more money into the program does not solve the problem in Hartford, it will only be spending more. If this program were to work on giving them tutoring, or something else to help them, because right now from 8:00 to 3:00 the schools are probably doing as much as they can. But it is from 3:00 p.m. to the following morning at 8:00 a.m. there is no help. They say it is gaining popularity, with public support from the cities. On October 26<sup>th</sup>, the Avon Board of Education, downstairs in the Avon Room, is going to have a meeting, which he heard about from Peggy Roell, on alternatives to funding education.

The Town Manager reported another item is a letter from Herb Pandiscio requesting a review of our funding decision at the April 25<sup>th</sup> Town Council meeting as it relates to the fireworks and the concert. Chairman Hines reported he met with him at 3:30 one afternoon, it lasted just five minutes. Mr. Shea reported we should be receptive to their idea. We want this to end on a positive note, they did a wonderful job, and we thank them, we want to partner up with them, the Charter says what we can and cannot do. There is going to be a significant sum of money which we can talk about how to distribute. Mrs. Hornaday reported we should be sure they have the funds they need to do their last activity, for any up front costs they may have, also we want the Committee to be aware the Town Charter does not allow for the use of taxpayer dollars for private organizations.

Mr. Shea reported we felt we would have to fund the 175<sup>th</sup> Anniversary to some extent, while not \$10,000, we have a chance to help the Special Needs Fund, and the 175<sup>th</sup> Committee to get the credit. This is about our Community having a celebration, it has been an outstanding success. The Charter does not allow us to do certain things, we applaud their thoughts about the Historical Society and the Library.

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

**RESOLVED:** That the Town Council add to the Agenda, Item # **05/06-30, 175<sup>th</sup> Anniversary Funding Committee Funding Request.**

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

**05/06-30 175<sup>th</sup> Anniversary Funding Committee Funding Request.**

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

**RESOLVED:** That the Town Council approve an appropriation in the amount of \$11,715, to be allocated to the 175<sup>th</sup> Anniversary, letter to be written by the Town Manager stipulating that such funds that are in excess of their expenditures be returned to the Town, we are receptive to

their recommendations for the allocation of those funds, with every consideration to the Special Needs Fund and the Avon Library Historic Room. All allocations of funds will have to be in accordance with the Charter.

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

The Town Manager reported he included a memo from the Human Resources Director, about the IRS change on mileage, to be incorporated.

The Town Manager reported there is a memo about the Town Green from the Town Planner, regarding the lighting plan. We have that pretty well completed, we need to move ahead with a wiring plan and installation for it, the cost of that is about \$6,500. We do not have the money, Ensign-Bickford had agreed verbally, although not in writing yet, to match up to \$20,000 in donations for improvements to the Town Green, we now have six donations which total approximately \$15,000. He would like the Town Council's permission to write Ensign-Bickford saying we have the donations of \$15,000 and would like to be able to proceed with the wiring plan, and would like a check for the \$6,500 that the Town Planner needs to move ahead with the wiring and installation plan. It was the consensus of the Town Council that the Town Manager approach Ensign-Bickford for the \$6,500 needed for the wiring for installation of the light fixtures.

The Town Manager reported regarding unanticipated expenses for next year, the Avon Water Company came in about signing a letter to go to the DPUC, where we jointly agreed to allow the Town to use some of their property as additional parking as part of the Avon High School project, so that is moving along. They gave us a check for nearly \$14,000 for all of the water that had been pumped out of the new well at Fisher Meadows from May through September, that money goes into the Fisher Meadows Fund, because it is produced off of the Fisher Meadows land. He is anticipating looking at their figures and doing some averaging, that we probably are going to get somewhere in the neighborhood of \$3,000 to \$3,500 a month, roughly \$40,000 a year that will go into that fund, we already have almost \$40,000, we appropriated \$6,500 out of that fund for the floating pump, so a year from now we should have close to \$80,000. Our original, and still the intent of that money is for improvements at Fisher Meadows. What we were looking at was trying to move ahead with doing the schematic planning and everything else to develop that 11 acre corn field to the north. We would begin to have enough money probably a year from now to start looking at that if the Town Council would want to move ahead with that. The money must be used for Fisher Meadows, although you can use it to buy additional adjoining property. We have tried to segregate these funds, but theoretically we could take all of that money and use it every year to offset the maintenance of Fisher Meadows. Mr. Shea reported when we discussed it that was not our intention, the very thought of that can stifle the development of that property.

The Town Manager reported the next item the Avon Water Company brought up was the fact that they are going in for a rate increase on October 12<sup>th</sup>, and the rate increase will mean over a two year period, \$178,000 a year increase in our hydrant rental costs, our costs right now are about \$310,000, two years from now they would be \$488,000, assuming they get their rate increase. This rate increase is coming from the new well at Fisher Meadows, the piping and structure that they made, is costing about five million dollars, it is being financed with a 15 year loan, of which the first 10 years is at fixed interest rates. They are going to the DPUC to ask to offset the cost of that system. That well will also, for the residents of Farmington Woods and some of the other areas that are fed off of the West Avon system, have received notices continually that there is high sodium content in the water, when they finish the work down there, and they have another line they have to put in, an 8" line, that will replace the water from the West Avon system and there probably will not be a need for any sodium warnings to the residents getting water from the Avon Water Company. The residential rates will go up to about \$440 a year, \$110 a quarter, they are about \$75 a quarter now, assuming what they asked for goes through.

The Town Manager reported the next unexpected budget item, as shown in a letter from the Secretary of State, about the lever voting machines, that could be another \$100,000 plus hit if we are required to go out and buy them, may be close to \$150,000 or more, if we have to go out and buy all new voting machines, we are hoping that there is going to be a compromise where the State will pay for some of these over a period of time, and we may have to pay for some of them. Mrs. Hornaday reported if there is something she is interested in going against the State on, it is this. It is a lot of money to communities, for no real reason. Mr. Woodford reported let us just tell them no. Mrs. Hornaday reported she thought about that, our machines work perfectly fine. Chairman Hines reported it is an unfunded mandate. Most towns will not be able to do it, we can drag our feet. Mrs. Hornaday reported what will happen is a Town like Avon, it has happened when on the Board of Education, we would go ahead and do things, and other towns would say they could not afford it, and they would change their minds, and by then we had done it. Chairman Hines questioned whether we should send letter to legislators. The Town Manager reported we can do that, at CCM there was a unanimous outpouring of people at CCM and COST that we not change the system, that the existing system was working fine. The Town Clerk reported you should call your Congressional people, because it is a federal law. The Town Manager will send it to Congress members first.

The Town Manager reported one last item, we have received several reports of dried up wells in Secret Lake, because of the lack of water, draught type of involvement. Now we are starting to get this interest again in extending water through Secret Lake. The Secret Lake Association is coming in November 3 with their capital budget presentation, the water request may come up. We have talked to them for a number of years about the water situation there, he told them we would handle it the same way as with Deer Run, and Lakeview in particular. He went through the whole process, of having to get a petition of 50% of the people who agree to be assessed, and that we need votes from the Association, and that it would probably be, if it started now, a year and a half to three years before they would have water in the area. The Town Manager reported he mentioned that because of the meeting with the Water Company, where he mentioned this along with the other issues. They are willing to work with us similar to what we have done in the past.

**IX. EXECUTIVE SESSION: Litigation/Negotiations - None**

**X. ADJOURNMENT**

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

**Attest:**

**Caroline B. LaMonica  
Town Clerk**