

**AVON TOWN COUNCIL
MEETING MINUTES
NOVEMBER 3, 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. Woodford, seconded by Mrs. Hornaday, it was voted:

RESOLVED: That the Town Council approves the minutes of the October 6, 2005 meeting as read. Mrs. Hornaday, Messrs Hines, Carlson, Shea and Woodford voted in favor.

IV. COMMUNICATION FROM AUDIENCE – None

V. COMMUNICATION FROM COUNCIL

Chairman Hines reported the Fire Department did a fabulous job working Saturday, Sunday and Monday during the terrible storm. We should send a letter to the Fire Department thanking them for their help.

VI. OLD BUSINESS

05/06-06 FY 06/07 CIP Budget Presentations

a. 7:45 pm Secret Lake Association

Ms. Trish Rioux, a member of the Secret Lake Board of Directors, presented the Capital Improvement Program and Project Proposal for FY 2006/2007 – 2010/2011. She reported that Secret Lake is a community that has evolved. It was an aging community, which has become a much younger community. There are a lot of children, a lot of different activities. Our total budget for the Storm Water Drainage Project is estimated at \$570,000 spread over a five-year plan, \$30,000 for the 06/07 Fiscal Year. Estimated cost for Public Water Project is \$500,000 to \$650,000 with \$225,000 requested for 06/07 Fiscal Year. In mid October we sent a survey out to all Secret Lake residents; to date, 45% of the surveys have been returned, 55% of which were interested in getting more information on installation of public water from Avon Water Company. The Canton side of Secret Lake was hooked up to public water about 20 years ago from Canton. The third project we are requesting monies for is Road Improvements, which includes paving and curbing. Residents want to move forward on getting more information on cost of these projects and benefits. We want to work with the town to improve this area but where do we begin? Who's responsible for doing what? Is it someone that we hire or someone from the town?

Town Manager reported the storm water drainage project, which will cost \$30,000, would come under the Town Engineering Department. Tom Daukas, the Town Engineer, would be the one to determine whether it would be done in house or we would go out with an RFP and select a firm that would do the work and present a report.

Chairman Hines stated it would be best for all to have the water extended. It would increase property values. It is also good to look at the whole picture. If roads are going to be redone, public water should be looked at as part of the project.

b. 8:15 p.m. Police Department

Chief of Police, Peter Agnesi reported their budget this year is pretty straightforward, a total of \$464,000. We are resubmitting for the fifth year the need for funds, \$38,000 for a records storage system in our vault, which will reduce the wasted space inherent with file-type cabinets and increase the current storage capacity by approximately 50 percent. We are also requesting replacement of our Communications Center equipment, at a cost of \$650,000 over the next three years. Fortunately, we have been replacing some of the equipment off site at various computer sites. We have utilized Mr. Langone, a communications consultant, who has been with us for five years and has done a commendable job for us. With his assistance, we have calculated a cost of \$426,000 for equipment. We did not include a detailed breakdown of the specific pieces of equipment but we do have that if you need it. We had issues with our radio system several years ago.

Mr. Woodford questioned if the current consultant is the same one the Town used in previous years. The Town Manager reported the first consultant we had worked for Rand, which we hired to do the upgrade on the radio system in 1995 when we were renovating the Police Station. About five years later, we began to have problems with that system and decided to get a different consultant to check out the system. At that time we went out with an RFP and three or four firms responded. They were out of the area and were including travel time in their estimates, which raised the cost considerably. We decided to go with Mr. Langone, who was from Andover, MA and was also the lowest price. He has helped us through the problems we have had over the last few years and knows the system, but this would be a good break point if you wanted to hire a new consultant to work with a new system.

Mr. Carlson questioned if the Police Department got bids on all the equipment needed or just the items over \$50,000. Chief Agnesi reported we did the whole package. The Town Manager reported that it was all integrated and interrelated.

Mr. Shea stated, since Farmington has decided against a regional communications center, whether the town could partner up with Canton or Simsbury, instead of total replacement of Communications Center equipment. We have looked into this in the past, but maybe we should recheck the option of a regional communications before we move ahead. The Town Manager reported he mentioned it at the Farmington Valley collaborative two weeks ago to try to get some interest. However, we may have the UCONN Health Center. They showed some interest for something in the future. Also, CROG applied for a grant to look at regional dispatching in the capital region. They hired a consultant which came back with a plan to set up two regional dispatching centers, one east of the river and one west of the river, so that if one went down, the other one could take over the operation. They got through with the conceptual idea of it, so CROG set up three committees; one on government, one on personnel, and one on technical effect and started to move ahead. As we started to move ahead, communities started to drop off. First, the communities east of the river backed out, then the west side did the same. Farmington backed out within the last 6-9 months.

The Chief of Police agreed it might be a good idea to approach both Canton and Simsbury again, but did not think the outcome would be any different.

c. 8:45 p.m. General Government

The Town Manager reported that it was not necessary for the Director of Social Services, to be present because he is basically talking about a 7-12 passenger, lift-equipped vehicle to be obtained through the Greater Hartford Transit District's multi-town, federal capital grant program. We usually get a grant for that and the McLean Home makes up the difference so

that the town is not out any cash. We get to use the augmented van for the Dial-A-Ride service.

The other C.I.P. program we are looking at is from Steven Kushner, Town Planner, which is the implementation of the Avon Center decorative street lighting program. The total estimated cost is \$315,000. It includes 63 fixtures, wiring, etc. The Avon Center Study portion is a commitment to the Comprehensive Plan of Development. It may be something that we want to do in increments. He has it laid out in that fashion but even the \$50,000 per year level is a significant project. The purchase of the lights does not cost any money but flows through the town. The other one does cost money but it does take a positive step towards the implementation of the Center Study. This includes putting lighting in other parts of the center by Towpath and down Main Street. We can include some of these things in the budget but may have to take them out as we look at the budget more closely.

The Town Manager reported we may have problems, with the Special Needs Fund depending on how the winter goes. The State is also stepping up with a program so we are hopeful that, if we run into problems in some of these areas, we may be able to get some additional money from the State to handle the people we are required to deal with, versus the Special Needs Fund which currently has about \$2600. We may have to start putting money into this fund because the whole funding picture has changed. The funding from various agencies has declined in general.

Mrs. Hornaday spoke on the Special Needs Fund. At the last meeting, we talked about monies that would come back to the town from the 175th celebration. The use of some of that to go to this fund supporting some of the members of the community.

05/06-28 Appointment: Plainville Area Cable Television Advisory Council.

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

RESOLVED: That the Town Council table this item to January 2006 meeting.

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

VII. NEW BUSINESS

05/06-32 Review and Discussion: Underage Drinking Ordinance.

The Town Manager reported that as an outgrowth of the forum which was held last week a number of people in the community have indicated an interest in the town looking at the possibility of adopting an "Underage Drinking Ordinance". In the past the Council's been very careful not to adopt a large number of ordinances. We should make certain it is really necessary before we move in that direction. Accordingly, Chief Agnesi has prepared a background report on his thoughts, and some of the situations that he and the Police Department have encountered with this situation.

Chief of Police reported this issue is very complex. It is not as simple as an ordinance. There are many facets rooted in case law and various statutes. We have discussed this over the past week with several individuals- - there are folks on both sides of the issue, many feel that an ordinance is necessary in the community. The ordinance of underage drinking is really designed to focus on one area, and that is the area of private property. The Connecticut General Statute, refers to a minor possessing alcohol in a public place or a place basically open to the public. That is where we run into some issues. If we are called to a gathering at a residence, is that considered a public place or a place open to the public? Our experience so far with our particular court in Hartford, has been very positive. We have made arrests under these types of circumstances with individuals who have been outside of the residence in the

public view, in the street, in the driveway, in the backyard. The court in Hartford regarding that issue of a public place has supported us. Again, the ordinances that are out there attempt to address that area of private vs public. We feel the proper way to address this issue is to have a caring Avon group that is currently organized here, which has not done very much as of late, but we think it would be important to get together with the Board of Education, Police Department, citizens and discuss this issue because there is a lot of misunderstanding about the statutes, regarding what we can and can not do. We think it is very important to get out there and get these folks together and discuss the issue to determine what the actual problem is, before we try to attempt a solution.

The Town Manager reported that in the late eighties, there was a group called Community Avon which is still in existence from a stand point of a 501c3 Corporation and it might be a vehicle for people today to resurrect that as something that can be used to move in the direction of these programs. We have half a dozen incidences per year. Twenty years ago, drinking was allowed at age 18, and with these problems, we decided that it was perhaps more effective to go after the parents, in terms of citations because we very often found that the parents were not around. They were off for the weekend and the children were having events when they were not around. Once we moved in that direction, things seemed to drop in terms of the number of incidents. They are not any where near where they were. Twenty years ago we were having twice the number we are having now, maybe even more. This seems to have grown again more recently, and we think there is a new community awareness of the issue and Community Avon, which was used to bring the community together on these issues, can be used again.

Chairman Hines stated that he liked Chief Agnesi's recommendation. It really tries to solve the problem rather than just coming up with an ordinance, which we are not convinced would solve the problem. The problem is still going to be there and we do not want to put an ordinance in place if it is not needed. We have done our best in town to minimize the number of ordinances.

Mr. Shea reported that it is important to note that this is not just a problem for Avon. It is greater than the Town of Avon, it is a symptom of our society, and something has to be dealt with seriously and an ordinance might be the solution. First we should do what has been suggested here, which is getting people together and try to educate the parents as to exactly what is going on and what the pitfalls are and to reach out as much as we can. If we start taking it seriously and the community does the same, then it will transcend to the 17,000 people that live here.

It was the consensus, at this time, not to enact an ordinance, but rather deal with the problem through the Community Avon.

05/06-33 Status Report: Avon Day 2005, UNICO

Len Del Gallo, Co-Chairman reported the 2005 Avon Day was without question the best we had on record. The use of Thompson Brook School,-- overall the day was a good day for everybody and, as you know was combined with the 175th, so the fireworks and the concert was a nice thing at the end. You may recall we started Avon Day back in 1982 and it was similar to a backyard cook out at the gazebo. And since then it has advanced to the point we are having 14 food booths, 43 "non-profit" booths and 31 booths for local businesses, for a total of 74 booths. The entertainment we provided was also top shelf. Our committee has never approached the Town for additional funds, other than the subsidy we get from the Recreation and Parks Department which is about \$2,600. Because of the financial straits that we are in, we are making an appeal to the Town Council for additional funds. In order to have

a successful Avon Day we have to raise approximately \$22,000. This year the best we could do was to raise \$7,200 from contributors and \$7,750 from Corporate booths. He reported we just started charging \$250 for each Corporate booth back in 2002 or 2003. Also, we were fortunate we had \$5,500 left over, from last year to go into this year. If we did not have this amount, we would have ended up in the red this year. As it turns out, even though all the bills are not paid yet, we will probably carry over about \$1,000 into next year. Some of our past contributors have stopped their support for Avon Day and others have reduced their amounts. In their defense, there have been natural disasters like the tsunami and hurricanes, so there is only so much of their support that can be passed around. In this case, Avon Day probably gets excluded. Also the expenses have gone up, like the cost of tents. That increased about \$3,000, and keep in mind that we also increased the amount of tents so that makes it go up as well. The additional costs for security and waste collection and all of that type of thing have gone up as well. In order for Avon Day to continue to be successful, we feel we need additional support from the town in the amount of \$5,000. We appeal to the Town Council to keep the Avon Day tradition going for years to come. We need the Town Council to fill that gap between the \$17,000 and the \$22,000 that we need to run it properly. We feel we can probably raise about \$17,000 in some form, and we have some ideas on how to do that..

Chairman Hines stated that the Committee has done a great job in previous years, running it for the past eight years and it is getting better every year and it was just great this past year. We really appreciate your efforts.

Mr. Shea reported the event has grown over the years and is worthy of our support. All the citizens benefit.

Chairman Hines stated that the recommendation would be considered by the Town Council.

Co-Chairman Del Gallo reported that we lost revenue from four restaurants because the date was changed. We lost revenues for the "Special Needs Fund" which was sad but we were still able to raise \$2,800 for them.

Mr. Galliette reported Avon Day was such a success this year because we had all the departments in town that we think need to be recognized, especially the Supt. of Schools and the Board of Education and Peggy Roell. They allowed us to use the property of two schools which turned out to be an ideal situation. We hope that we can continue in that particular vein. The Public Works with Bruce Williams and Mike Shea took care of all the electricity and water. The Police Department did a super job with the trafficking and making it all possible to use the school and not have any kind of congestion in traffic. At the end of the evening, after the fireworks, the exiting was done so smoothly. Parks and Recreation helped us with the publicity and signs and kept the town aware of where it was going to be and what we were going to do so we thank them too. The Chief of the Fire Department was there to make sure everything was shipshape as far as any regulations that were necessary to make it safe and Jim Martino helped us with all the permits that were needed. The Town Clerk's Office did their usual good job, privately of course, but it was done to make sure protocol was set. The VFW did a great job with the Color Guard. We had a perfect mix this year which will never happen again,--- the 175th Committee, with Herb Pandiscio and his group. It was just a perfect blend with all the meetings that we attended and all the events that you saw happen during the year that were just perfect, but the culmination and the finale with the concert and spectacular fireworks was all a part of that committee. We thank them. Next year it will be a little different but we are hoping that we can find someone to do the concert and the fireworks.

05/06-34 Supplemental Appropriation: Towpath School Demolition; Permanent Fuel Tank Removal, Temporary Fuel Tank Installation

The Director of Public Works reported that the Town has a six thousand gallon tank in the ground at Towpath School and the DEP has deemed these tanks to be illegal. It will have to be removed, but with your decision to raze that building in the next fiscal year, my recommendation is that we remove that tank and put an above ground double-wall tank there to provide temporary heat to the Farmington Valley Health District and remain in compliance with the DEP regulations.

The Town Manager reported that we are also going to do some internal modifications to the system to reduce portions of the building that are not going to be used so that the heating will only be used for the portion that is really occupied. We hope that will cut down on the energy cost.

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

RESOLVED: That the Town Council authorize the removal of fuel tank at Towpath School to be replaced with an above ground double-wall tank. Cost for this project is to be taken from Open Space Funds.

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

05/06-35 Request of Valley Baptist Church to use Community room at the Senior Center.

The Director of Recreation & Parks reported that Valley Community Baptist Church has requested and applied for use of the Senior Center/Community Room for adult Sunday School classes on Sunday mornings. Because this is set by the Public Place Regulations, we have no particular problem with this simply because we know this building is not in use at this time. We have had a cooperative relationship because of the proximity to one another. He recommended that the town permit Valley Baptist Church use of the Senior Center.

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

RESOLVED: That the Town Council approve the Valley Community Baptist Church use of the Senior Center/Community Room for adult Sunday School classes on Sunday mornings through June of 2006, if their use does not interfere with any Town sanctioned functions.

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

VIII. TOWN MANAGER'S REPORT/MISCELLANEOUS

The Town Manager reported the Farmington Valley Arts Center is using an Intern named Lauren Miller who is doing the research to open a satellite office in Glastonbury or Farmington Valley area.

Chairman Hines reported the Farmington Valley Arts Center had a meeting of the Board of Directors and invited a number of people representing different organizations and the Executive Director of the Greater Hartford Arts Council. They are in terrible financial shape. They had to pull out of Towpath School. They will now work on areas where they have strengths. They had a lot of programs that were eating up money. They are stopping those and are working on the ones that are good. For example, they had a summer program at Ethel Walker School for young children. It was so popular, they made money and now they are going to continue it through the winter because the parents want it. They receive \$23,000 per year, a grant from the Greater Hartford Arts Council. This is the only organization that receives grant money but does not raise any of their own. They will now have to do fund raisers, make an annual appeal, visit all businesses in the area. The gallery sales should

increase but they are not open that often, that is one of the problems. They are trying to get corporate people on the board. They mentioned that they need better signs. I think the signs are fine but we could put an article in the Town Council Newsletter giving information about the Arts Center and also include a map on how to get there.

Avon has an excellent chance of offering some direction which we have not done. We do not spend any money in Avon on culture other than the library. "I recommend that if we put \$10,000 in our budget, and request to put someone on the Board of Directors, which the Arts Center is open the idea." Our Economic Plan of Development talks about walking area in the center which the art center fits in beautifully. Our residents want total education for their children and other than the library and the school, we are not doing anything. We do great on sports but nothing on culture.

Mr. Shea reported that this cause is good but they are not doing much on their own right now, what concerns us is that we are not putting that kind of money in the Special Needs Fund. We are not against this idea but maybe we should hold off for now.

Mr. Carlson reported he thought it is a nice idea to put \$10,000 into the budget but we have to segment the budget and look at all the charitable giving areas. Then we can decide.

Mr. Hines reported that they will have another meeting in March, 2006 and the Chairman of the Town Council will be invited and here is an opportunity for the Town. If we put this in the budget we can wait till June to make a decision on whether to go ahead with it.

Diane Carney, Rosewood Road - reported that the Farmington Valley Arts Center is a wonderful facility but they do not market themselves. They could have children's art classes and I am sure the parents would support that. We need to get someone on the Board of Directors to support this idea.

The Town Manager reported that CRCOG has decided to work with the city of Long Beach, Mississippi which was devastated by Katrina. They are putting together a needs list and will be contacting the communities in CRCOG to see if they can provide staffing and support. We had four firefighters, one of which is a town employee, Jeff Peterson, who had responded back in September to the hurricane Katrina disaster through FEMA who solicited through the Fire Departments for volunteers. Two of the firefighters were called last week. FEMA rerouted them from the Katrina to the Wilma needs. They could be there for up to sixty days.

The Town Council support this project in general, but will have to evaluate each need on an individual basis.

The Town Manager reported that the high school in terms of a shelter has been used it in the past as our central large capacity shelter. There is a generator that takes care of the emergency lighting but we wanted some indication what it would take with the new cafeteria and new gym to power the showers and lighting and the cafeteria appliances. We have some preliminary estimates back from Chuck Boos of about \$277,000.

Mr. Shea questioned if the town could be reimbursed for a generator in the High School. The Town Clerk, Committee staff person, reported no, we have explored that and found it would have to be a capital improvement project. It is unfortunate at this time, that the F.I.P. project estimates came in over budget. It is tracking higher than we expected. They have gone out for a second estimate, and we will know by the end of the month if that project is coming within budget. The increase in costs is probably due to hurricane Katrina. Then we have to look at a time line if we need additional money because a referendum would have to be held sometime in January.

Town Manager reported we are going to have a whole new Town of Avon website, more interactive, different looking website. If you use the town website, it should be up within the next few days.

The Town Manager reported on other activities we are dealing with, Chief Agnesi, Tom Daukas, Captain Rinaldo and myself attended a meeting at the DOT. We thought initially it was going to be a status report meeting on the improvements of the project for taking out the curve at the top of Avon Mountain. It was already underway before the accident. It went far beyond that. The DOT wants to come out here sometime in the next 2-4 weeks, and make a special presentation to the Town Council on some of the recommendations and modifications that they are looking at for Route 44 beyond the scope of this project. They will talk about this project too, because it is very intricately involved with the area between Mountain Road in West Hartford and the bottom of Route 10. They talked about the off-shoots on Route 44 and a bridge at the intersection of Route 10 and Route 44. They have set up meetings with the hotel, the Inn and with the owner on the southwest corner. They will discuss truck ramps, rumble strips, medians, fencing, etc. They have two power point programs to present, with a planning phase on where they want to go. We will need a Special Meeting and we will try to coordinate it once they have contacted the property owners. The Town Engineer will also attend the meeting with the property owners.

The Town Manager reported on the flooding two weeks ago. We have FEMA in here now evaluating our damage, which we think is completed now. We have not heard anything back yet.

The Town Manager reported about the revaluation legal case with Konover. We have lost that and we should receive a copy from the Town Attorney. It will basically reduce the valuation of his property on Avon Mountain.

Chairman Hines questioned if it would affect other properties. The Town Manager reported the methodology that the Town Assessor was using could have a bearing on other properties but we have not seen the final report, as to whether they were against the valuation or methodology that was used.

The Town Manager reported the quarterly financial reports have been distributed to the Town Council members. It will give you some status on where we stand in some of these funds. License fees, permits, and recording and conveyance are at 51 percent of the collected, due to the Municipal Real Estate Conveyance tax increase, which is slightly higher than last year. If you want to know where we are on a lot of these things quickly, look at the first couple of pages of the quarterly Financial Report. We are over-expended in some accounts. For instance, Emergency Management-Avon Mountain, unbudgeted line item was created to capture expenditures related to the Avon Mountain accident, which is \$31,593 At this time.

The Town Manager reported about an article in Time Magazine which he thought was very interesting, about pensions and the way those are going. There was also an article in the Wall Street Journal about health savings accounts. You gave us permission two or three years ago to set those up, and we are in the process of working to set those up when they become available to the employees. This is being done in anticipation of the fact that when we go into the next round of negotiations, one of our target areas is going to be retiree health. It is also moving people from a defined benefit health system to a defined contribution health system. It allows choices on the part of the individuals in terms of their health benefits. One of the ways to do that is to set up these health savings accounts.

The Town Manager reported that the Police Chief, Peter Agnesi has submitted his resignation effective December 1, 2005. He reported Captain Rinaldo will be Acting Chief during an interim period.

Mrs. Hornaday questioned who was managing the funds for the 175th Anniversary. We want to make certain there was not going to be some unpleasantness about that money as to where it will go. The Town Manager reported the funds are deposited with the Town. The Town writes the checks and controls the funds. Some of the funds will go to the library.

IX. EXECUTIVE SESSION: Litigation/Negotiations - None

X. ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

Attest:

**Caroline B. LaMonica
Town Clerk**